

## **Calendar date of 06/10/10**

**All corrections to notes on this calendar should be filed by 06/03/10. Documents filed after this time may not be reviewed prior to hearing and could result in a continuance of your case. The update to these notes will be posted in the late afternoon of the following day.**

**\*\*\*\*\***

**The Probate Examiners can be reached at  
[ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org)**

**Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.**

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District - Civil

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

***PROBATE***

-----  
DATE: 06/10/10      TIME: 9:00      DEPT: S33P  
-----

CASE#: **PRO DS1000217**

CASE NAME: TITUS LEROY WHITE II

HEARING:

Petition to determine succession to Real Property

COUNSEL:

HEATHER EGBUONU                      (PET)...LENITA A SKORETZ

TITUS LEROY WHITE II              (DEC)...

GENERAL INFORMATION **continued from 5/3/10 at request of counsel to file an amended petition.**

THIS CASE IS SET FOR HEARING ON

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner has filed a petition to determine succession to real property in an estate where there is no real property. While this procedure can include personal property it cannot be applied to an estate containing only personal property. See Pr.C. § 13151.
2. Attached I&A indicates that the decedent's heirs are to receive 1/5<sup>th</sup> of the proceeds of sale of real property. If an amended petition is filed to distribute the 1/5<sup>th</sup> interest in the real property, petitioner will need a corrected I&A listing the date of death value of the 1/5<sup>th</sup> interest and a complete description of the real property. Alternatively, if the sale is completed, petitioner could proceed under Pr.C. 13100. **Supp: New I&A filed indicating interest in one-fifth of sale of real property. However, this I&A is not signed by the probate referee. Need correction.**
3. Heather Egbuonu is the only petitioner listed. However, as the property is to be distributed to 3 heirs, all of decedent's children need to petition for succession. File amended petition.
4. Item 9a3 and 9b are incomplete re persons surviving decedent. Need verified supplement.
5. Item 14 is incomplete as to the relationship of Rochelle White and Christian Ingram and as to the ages of persons listed. Need verified supplement.

RECOMMENDATION:

Need to file an amended petition.

(kra/abs)

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO DS1000317**

CASE NAME: ELOISA TALAMANTES

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority  
under IAEA.

COUNSEL:

DANIEL A. GARCIA (PET)...PRO/PER  
ELOISA TALAMANTES (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA filed by son

#### THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner requests bond be fixed at \$50,000. Appears more than adequate.  
Petitioner alleges that the estimated value of the estate is personal property  
with an approximate value of \$4,000. JTD
2. Need to file notice of petition to administer estate and proof of service.
3. Need to file proof of publication.

#### RECOMMENDATION:

Need to clear notes 2-3. Court's discretion re bond. If approved, set hearing on  
accounting/status review for **8/18/11**.  
(gls)

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO DS1000345**

CASE NAME: MABEL L CARRIGAN

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With  
Full Authority Under IAEA..

COUNSEL:

MARY GAIL PENRY (PET)...DAVID E JACOBS  
MABEL L CARRIGAN (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Probate and for Letters Testamentary  
with full authority under IAEA

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Will waives bond.
2. Need to file notice of petition to administer estate and proof of service.
3. Need to file proof of publication.

RECOMMENDATION:

Need to clear notes 2-3, no bond. If approved, set hearing on accounting/status review for  
**8/18/11.**

(gls)

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO DS1000349**

CASE NAME: MTR OF JOHN P FUSCOE

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority  
under IAEA.

COUNSEL:

CORINNE VAN HOUSEN (PET)...DENNIS M ASSURAS  
JOHN P FUSCOE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA filed by sister

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Both residual heirs have waived bond.
2. Need to file notice of petition to administer estate and proof of service.
3. Need to file proof of publication.

RECOMMENDATION:

Need to clear notes 2-3, no bond. If approved, set hearing on accounting/status review for  
**8/18/11.**

(gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO PS0700731**

CASE NAME: LUCILE I CARTER

**SEE ALSO 6**

HEARING:

Hearing re Final Discharge

COUNSEL:

MELODIE Z SCOTT  
LUCILE I CARTER

(PET)...HARTNELL LISTER & MOORE  
(DEC)...

GENERAL INFORMATION

**Continued from 12/3/09, 1/21/10, 2/25/10 and 4/1/10 at request of counsel.**

THIS CASE IS SET FOR HEARING ON receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final Account and distribution were approved on 11/20/08.
2. Need receipts of distribution.
3. Need Ex-parte Petition/Order for Final Discharge submitted.

RECOMMENDATION:

Inquire status.

(kra/gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO PS0700731**

CASE NAME: LUCILE I CARTER

**SEE ALSO 5**

HEARING:

Hearing Re: Status on 8 Beneficiaries

COUNSEL:

MELODIE Z SCOTT (PET)...HARTNELL LISTER & MOORE  
LUCILE I CARTER (DEC)...

#### GENERAL INFORMATION

Continued from **1/22/09**. Counsel reports that four beneficiaries have been located and they are still trying to locate the remaining four.

Continued from **3-26-09**. Counsel ordered to file written report. Nothing new filed.

**Continued from 5/7/09, 12/3/09, 1/21/10, 2/25/10 and 4/1/10 at request of counsel.**

THIS CASE SET FOR HEARING ON Status on 8 Beneficiaries

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter was set at 11/20/08 accounting hearing. Petitioner alleged that there are four remaining beneficiaries of the estate who have been identified but whose whereabouts are unknown. Petitioner requested authority to distribute these shares in care of the San Bernardino County Treasurer. **On 1/21/10, the share to Jane Erickson was ordered payable to the County Treasurer.** Question the status of the other remaining heirs? File verified supplement.

#### RECOMMENDATION

Find out status of efforts to locate remaining four beneficiaries.

(cbr/gls/NMT/kra/gls)



Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10      TIME: 9:00      DEPT: S33P  
-----

CASE#: **PRO PS0701148**

CASE NAME: JOHN R. LIVACICH

**SEE ALSO 8 9**

HEARING:

Hearing Re: Status Report

COUNSEL:

LORRAINE C LIVACICH      (PET)...ROY A BARRY

JOHN R LIVACICH      (DEC)...

JANE B LORENZ      (PET)...HARTNELL LISTER & MOORE

LORI ANN LIVACICH      (PET)...RAIMUND FREIHUBE, ESQ.

JANE B LORENZ      (PET)...HARTNELL LISTER & MOORE

CATHERINE CATSOURAS      (RAIMUND FREIHUBE, ESQ.      )...RAIMUND F

STATE OF CALIFORNIA FRANCHISE (PRO/PER      )...PRO/PER

No file available for review.

FUTURE HEARINGS    8-05 READI    8-09 TRIAL

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10      TIME: 9:00      DEPT: S33P  
-----

CASE#: **PRO PS0701148**

CASE NAME: JOHN R. LIVACICH

**SEE ALSO 7 9**

HEARING:

Petition for establish estate's claim of ownership to property  
etc.

COUNSEL:

LORRAINE C LIVACICH      (PET)...ROY A BARRY

JOHN R LIVACICH      (DEC)...

JANE B LORENZ      (PET)...HARTNELL LISTER & MOORE

LORI ANN LIVACICH      (PET)...RAIMUND FREIHUBE, ESQ.

JANE B LORENZ      (PET)...HARTNELL LISTER & MOORE

CATHERINE CATSOURAS      (RAIMUND FREIHUBE, ESQ.      )...RAIMUND F

STATE OF CALIFORNIA FRANCHISE (PRO/PER      )...PRO/PER

No file available for review.

FUTURE HEARINGS    8-05 READI    8-09 TRIAL

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO

San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO PS0701148**

CASE NAME: JOHN R. LIVACICH

**SEE ALSO 7 9**

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With  
Full Authority Under IAEA..

COUNSEL:

LORRAINE C LIVACICH (PET)...ROY A BARRY  
JOHN R LIVACICH (DEC)...  
JANE B LORENZ (PET)...HARTNELL LISTER & MOORE  
LORI ANN LIVACICH (PET)...RAIMUND FREIHUBE, ESQ.  
JANE B LORENZ (PET)...HARTNELL LISTER & MOORE  
CATHERINE CATSOURAS (RAIMUND FREIHUBE, ESQ. )...RAIMUND F  
STATE OF CALIFORNIA FRANCHISE (PRO/PER )...PRO/PER

No file available for review.

FUTURE HEARINGS 8-05 READI 8-09 TRIAL

Superior Court of Calif, County of San Bernardino  
Page: 10  
CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO PS0800621**

CASE NAME: ETHEL M. KUCERA (MASTER FILE)

HEARING:

FIRST Account and Report of CHRISTINA ERICKSON-TAUBE and  
Petition for allowance of fees filed.

COUNSEL:

PAUL HOFFMAN (PET)...ROGER I STEIN  
ETHEL M. KUCERA (DEC)...  
CHRISTINA ERICKSON-TAUBE (PET)...ALEX R BORDEN  
BRUCE RANDALL MONROE (PET)...DUANE P BOOTH  
MELODIE Z SCOTT (TP )...PRO/PER  
KARIN E HORSPOOL (HORSPOOL & PARKER )...HORSPOOL

No file available for review.

FUTURE HEARINGS 5/18/11 ACCOUNTING REVIEW

Superior Court of Calif, County of San Bernardino

Page: 11

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO PS0800746**

CASE NAME: DENNIS V. MCKEON

HEARING:

Hearing Re: STATUS REVIEW

COUNSEL:

VERA N MCKEON	(PET)...PRO/PER
DENNIS V MCKEON	(DEC)...
JANET MILTON	(OBJ)...STANLEY W HODGE

X REFERENCE CON PS0800201

GENERAL INFORMATION

**Continued from 4/1/10 and 5/6/10**

THIS CASE IS SET FOR HEARING ON Status Review

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. On 2/11/10, the court vacated the Trial date and set this status hearing. Additionally, on 12/11/09, the court noted that petitioner, Vera McKeon is deceased and a petition to determine succession to estate is at issue. No party has petitioned for appointment as successor. According to the Will of decedent, Janet Milton (daughter of decedent) is the alternate named executor. Janet Milton previously objected to the administration of decedent's estate claiming all property was held in decedent's Trust. This objection was replied to by Vera McKeon prior to her death alleging that the Trust did not specify what property was intended as Trust property, and the real property was not funded into the trust and was held as community.
2. Court may wish to notice the Public Administrator for possible appointment as successor.

RECOMMENDATION:

Court's discretion.

(gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO PS0800757**

CASE NAME: LEONARD CHARLES ARDAGNA

HEARING:

Motion Re: for issue sanctions Filed by Petitioner JOSEPH  
ARDAGNA

COUNSEL:

JOSEPH ARDAGNA (PET)...M DENISE KRISTOF  
LEONARD CHARLES ARDAGNA (DEC)...  
KAREN ARDAGNA (PET)...MITCHELL I ROTH

No file available for review.

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10      TIME: 9:00      DEPT: S33P  
-----

CASE#: **PRO PS0800911**

CASE NAME: JUAN ALARCON

HEARING:

FIRST AND FINAL Account and Report of CHRISTINA ERICKSON-TAUBE  
and Petition for allowance of fees filed.

COUNSEL:

SANDRA CEDILLO	(PET)...	THOMAS W DOMINICK
JUAN ALARCON	(DEC)...	
CHRISTINA ERICKSON-TAUBE	(PET)...	ALEX R BORDEN
MERCEDES SOTO ALARCON	(PET)...	HARTNELL, LISTER & MOORE
JUAN LUQUE ALARCON	(DEC)...	
AMY YORK GARRETT	(AMY YORK GARRETT	)...AMY YORK
KARIN E HORSPOOL	(KARIN E HORSPOOL	)...KARIN E H
AMERICAN CONTRACTORS INDEMNITY	(PRO/PER	)...PRO/PER

No file available for review.

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO PS0800955**

CASE NAME: NONYEREM A. OHIAERI

**SEE ALSO 15**

HEARING:  
Accounting Review

COUNSEL:

IKECHUKWU OHIAERI	(PET)...	NOREEN FONTAINE
NONYEREM A OHIAERI	(DEC)...	
POLLIE OKORONKWO	(OBJ)...	MITCHELL I ROTH
ANTHONIA OKHEANI	(MITCHELL I ROTH	)...MITCHELL

X REFERENCE GARRS800167

GENERAL INFORMATION

**Continued from 2/8/10 at request of counsel.**

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 12/1/08, \$250,000 bond.
2. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status.  
(kra)

FUTURE HEARINGS 6/14 TRIAL



CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO PS0800955**

CASE NAME: NONYEREM A. OHIAERI

**SEE ALSO 14**

HEARING:  
Readiness Calendar

COUNSEL:

IKECHUKWU OHIAERI	(PET)...	NOREEN FONTAINE
NONYEREM A OHIAERI	(DEC)...	
POLLIE OKORONKWO	(OBJ)...	MITCHELL I ROTH
ANTHONIA OKHEANI	(MITCHELL I ROTH	)...MITCHELL

X REFERENCE GARRS800167  
No notes – Readiness

FUTURE HEARINGS 6/14 TRIAL

CIVPRO                      San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10      TIME: 9:00      DEPT: S33P  
-----

CASE#: **PRO PS0900113**

CASE NAME: CYNTHIA ANN CROWDER

HEARING:  
Accounting Review

COUNSEL:  
KIRK NELSON                      (PET)...ROY ANTON KORDICH  
CYNTHIA ANN CROWDER              (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting/Status Review

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1.      Letters Testamentary issued 4/2/09 (full authority, no bond)
2.      No accounting/status report is filed. Need same.

RECOMMENDATION:  
Find out status.  
(gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **PRO PS0900429**

CASE NAME: DAVID EDWARD COOPER

HEARING:

WAIVER OF Account and Report of KATHLEEN T CASEY and Petition  
for allowance of fees filed.

COUNSEL:

KATHLEEN T CASEY	(PET)...	BETTY AUTON-BECK
DAVID EDWARD COOPER	(DEC)...	
SANDRA CALHOUN	(PET)...	ROGER R MEADOWS
DONALD COOPER	(PET)...	ROGER R MEADOWS

No file available for review.

FILE OUT 5-13

FUTURE HEARINGS 10/04/10 ACCOUNTING REVIEW

Superior Court of Calif, County of San Bernardino

Page: 18

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **SPR SS01021**

CASE NAME: IN THE MATTER OF DAVID RYAN CAMAIONI

HEARING:  
Accounting Review

COUNSEL:

DAVID RYAN CAMAIONI (DEC)...DONNASUE SMITH-ORTIZ  
DAVID RYAN CAMAIONI (PET)...DONNASUE SMITH-ORTIZ  
RON OLUND (PET)...E. JOAN NELMS  
CARLYN ANNE CAMAIONI (STE)...PRO/PER  
WESTERN SURETY COMPANY (LEWIS D'AMATO BRISBOIS & BISGA)...LEWI  
JERE L. FOX (JERE L FOX )...JERE L FO

X REFERENCE SC SS02388

GENERAL INFORMATION:

**Continued from 1/14/10 and 3/25/10 at request of counsel.**

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Ron B. Olund appointed Successor Trustee and Temporary Conservator of the estate of David Ryan Camaioni on 06-04-04, \$225,000.00 bond. (Trust case only; not conservatorship).
2. A Fourth Account Current is due by the trustee, Ron Olund, for the period 11/1/08 – 10/31/09. No accounting is filed, need same.

RECOMMENDATION:

Find out status. When the trustee fails to file an accounting as ordered, the court may take the action specified in Pr. C. § 800 and C.C.P. § 128. Clerk to notice bonding company.  
(vet/gls)

CIVPRO                      San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10      TIME: 9:00      DEPT: S33P  
-----

CASE#: **SPR SS06290**

CASE NAME: MTR OF ANTHONY OCCHINO

HEARING:  
Hearing re Final Discharge

COUNSEL:  
JUDITH M GREENWOOD                      (PET)...BRIAN J SIMPSON  
ANTHONY OCCHINO                      (DEC)...  
VIRGINIA OCCHINO                      (TP )...JACK B OSBORN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1.      Order for Final Distribution granted 6/4/09
2.      Need to file receipt and submit final discharge

RECOMMENDATION:  
Find out status.  
(gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S33P  
-----

CASE#: **SPR SS06679**

CASE NAME: EST OF ALFRED H BERG

HEARING:  
Accounting Review

	COUNSEL:
RUTH L HENRICKS	(PET)...BRYAN C. HARTNELL
ALFRED H BERG	(DEC)...
PERCY HERBERT	(PET)...HARTNELL, LISTER & MOORE

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review by Percy Herbert, trustee of the Markus Alfred Berg Special Needs Trust

#### THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. The court granted the Markus Alfred Berg Special Needs Trust on 6/4/09.
2. A first account current is due from Percy Herbert, trustee, for the period 6/4/09 – 6/4/10. No accounting is filed. Need same.

#### RECOMMENDATION:

Find out status.  
(gls)

FUTURE HEARING  
8/30/10 FINAL DISCHARGE

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH **CONSERVATORSHIPS**

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **BC BS00020**

CASE NAME: CONSERVATORSHIP OF SELWA ZAHEER

**SEE ALSO 21A 22**

HEARING:

Motion Re: TO RECONSIDER TRANSFER Filed by Petitioner DAVID  
ZAHEER

COUNSEL:

SELWA ZAHEER  
DAVID ZAHEER

(CEP)...  
(PET)...GRESHAM SAVAGE NOLAN & TILDEN

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Motion to Reconsider Transfer

#### THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner alleges that on or about 1/14/10, the court approved a transfer to Los Angeles County for the Selwa Zaheer trust administration and the conservatorship of the person and the hearing confirming such transfer is also before the court (see page 22). Petitioner has been discharged as conservator of the estate (Order dated 1/14/10) pending receipts filed by David Zaheer, trustee of the Selwa Zaheer Trust.
2. Petitioner alleges the conservatee has regained legal capacity and the conservatorship of the person is no longer required. The trust established by this court is likewise no longer required. Petitioner has submitted a petition for termination (see page 21A). CCP §1008(b) allows a party to make a subsequent application for the same order upon new or different facts provided application is made within 10 days after service upon the party of written notice of entry of the order. Since conservatee has regained legal capacity, it would appear the facts have changed and the transfer and/or continuation of the proceedings are unnecessary, however this motion is brought well after the 10 days of the court's prior order, however the file does not indicate the prior order was served upon the parties. A current Medical Capacity Declaration is filed. JTD

3. Petitioner requests that this court reconsider and set-aside its order transferring the conservatorship of the person and administration of the Trust to Los Angeles County, and terminate both proceedings in San Bernardino County rather than transferring them.
4. Need to file notice of hearing and proof of service.

RECOMMENDATION:

Need notice and then Court's discretion.

FUTURE DATES

1/27/11 FINAL DISCHARGE



CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **BC BS00020**

CASE NAME: CONSERVATORSHIP OF SELWA ZAHEER  
**SEE ALSO 21 22**

HEARING:

Petition for TERMINATION OF CONSERVATORSHIP OF THE PERSON &  
REVOCATION OF TRUST

COUNSEL:

SELWA ZAHEER (CEP)...  
DAVID ZAHEER (PET)...GRESHAM SAVAGE NOLAN & TILDEN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Termination of the Conservatorship of  
the Person and Revocation of Trust

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner, David Zaheer, is the acting conservator of the person and trustee of the Selwa Zaheer Trust. Petitioner alleges the conservatorship of the person is no longer necessary as conservatee has regained capacity. A current Medical Capacity Declaration is submitted. Petitioner requests that the conservatorship of the person be terminated.
2. The assets of the conservatee have been transferred to Mr. Zaheer as the trustee of the trust on or about 11/30/09. The trust is revocable under Section 1.7 of the Trust by Court Order Only. Petitioner requests that the Selwa Zaheer Trust be revoked as conservatee/beneficiary of the trust is able to handle her own affairs.

RECOMMENDATION:

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for  
**6/16/11.**

(gls)

FUTURE DATES

1/27/11 FINAL DISCHARGE

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **BC BS00020**

CASE NAME: CONSERVATORSHIP OF SELWA ZAHEER  
**SEE ALSO 21 21A**

HEARING: CONFIRM TRANSFER

SELWA ZAHEER	COUNSEL:
DAVID ZAHEER	(CEP)...
	(PET)...GRESHAM SAVAGE NOLAN & TILDEN

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Confirm Transfer

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. The court approved the transfer of the conservatorship of the person and trust administration to Los Angeles County on or about 1/14/10 and then set this review date to confirm such transfer.
2. There is nothing in the file to indicate the transfer has been initiated. In addition, petitioner has filed a motion to reconsider the transfer (see page 21).

RECOMMENDATION:  
Court's discretion.  
(gls)

FUTURE DATES  
1/27/11 FINAL DISCHARGE

Superior Court of Calif, County of San Bernardino

Page: 23

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **BC BS00058**

CASE NAME: MATTER OF PHYLLIS E. RAMSEY

HEARING:

EIGHTH AND FINAL Account and Report of LAWRENCE A DEAN II and  
Petition for allowance of fees filed.

COUNSEL:

RUSSELL HELDRETH (PET)...GRIESBAUM AND ASSOC  
BEN ECHOLS (PCR)...  
PHYLLIS ELAINE RAMSEY (PCE)...  
LAWRENCE A DEAN II (SC )...SHERRI L KAS TILAHN  
KENNETH COWDERY (OBJ)...PRO/PER  
MELODIE Z SCOTT (PRO/PER )...PRO/PER

GENERAL INFORMATION **continued from 4/29/10 for facility statements to be filed.**

THIS CASE IS SET FOR HEARING ON Eighth and Final Account and Petition for  
Allowance of Fees and for Discharge of Conservator filed by Lawrence Dean

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting covers period: 9/1/08 – 12/10/09 (pre death)
2. Assets on hand: \$2,471.06 (cash of \$671.06 and balance in preneed burial)
3. Conservatee died on 12/10/09
4. Petitioner has received no compensation as conservator, and waives his right to such compensation.
5. Attorney Kastilahn has received no compensation, and waives her right to such compensation.
6. The remaining assets will be exhausted in petitioner and counsel's outstanding fees from prior accounts.
7. Petitioner has paid John Correa and Christina Taube "case management" fees totaling \$1,443.75. Need verified declarations from each for services rendered and payment received per local rule 20-1406(c).
8. Need original facility statements from Barstow Retirement Plaza per Pr.C. §2620.

9. Conservatee received a pension during her lifetime. Question if there is a death benefit due the estate or if there is a named beneficiary? File verified supplement.

RECOMMENDATION:

Need to clear notes 7-9. If approved, set hearing on the filing of receipts and final discharge for **6/16/11**.

(gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **CON PS0700099**

CASE NAME: JOHN M KYES

HEARING:  
Hearing re Final Discharge

	COUNSEL:
IRENE KYES	(CPE)...LAW OFFICES OF SAMUEL A LOVELY
MICHAEL KYES	(CPE)...LAW OFFICES OF SAMUEL A LOVELY
JOHN M KYES	(CEP)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. The court approved the first and final account on 6/25/09. No order has been submitted for signature at the time of the review of the file.
2. Need to file receipts and submit final discharge.

RECOMMENDATION:  
Need to clear notes.  
(gls)

Superior Court of Calif, County of San Bernardino

Page: 25

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **CON PS0800190**

CASE NAME: MARY SELLMAN

**SEE ALSO 26**

HEARING:

Hearing Re: PETITION FOR AUTHORITY TO SELL PROPERTY

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL  
MARY F SELLMAN (CEP)...BRYAN C. HARTNELL  
CHRISTINE ERICKSON-TAUBE (CPE)...SHERRI L KASTILAHN

GENERAL INFORMATION:

Ex Parte hearing of **6/24/09** set for noticed hearing.

Continued from **8/12/09, 8/19/09, 9/23/09, 1/11/10, 2/19/10, 3/19/10 and 4/29/10.**

**Counsel informs the court that the conservatee's real property has been transferred back into her name. Conservatee objects to the sale.**

THIS CASE IS SET FOR HEARING ON Petition for Authority to Sell Conservatee's Residence by Christina Erickson-Taube

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the temporary conservator of the person and estate of Mary F. Sellman. Petitioner asserts that the conservatee's main asset is the real property located in Hesperia, CA. Petitioner maintains that conservatee has resided at Citrus Villa Health Care for 10 months, is not able to return to her residence and due to conservatee's deficits, it is unsafe for her to reside alone. Petitioner alleges conservatee does not have sufficient assets to provide home care.
2. Petitioner alleges that pursuant to a settlement agreement (tabbed), the conservatee must pay approximately \$1,200.00 to a realtor that paid mortgage payments for the conservatee prior to the initiation of the conservatorship.
3. Petitioner asserts she has investigated all other avenues to find an alternative to the sale, but none can be found. Petitioner wishes to sell conservatee's residence because the property is vacant, subject to vandalism, damage and the funds are needed to provide for the conservatee's care.
4. Need report of court-appointed counsel, Bryan Hartnell.
5. Need Notice of Hearing with proof of service.

6. Letters of LPS Conservatorship appointing Christina Erickson-Taube, expired 10/3/09. Question under what authority petitioner now acts. Note: Public Guardian was appointed as conservator of the person and estate nunc pro tunc on 10/3/09. Yet the Order Reestablishing Conservatorship and Letters were issued to Christina Erickson-Taube. Does court wish to vacate the order and letters and reissue to Public Guardian? JTD **At hearing on 4/29/10, Counsel states that the Minute Order dated 3/19/10 is incorrect. Christina Erickson-Taube was appointed as the conservator, not Public Guardian.**
- 7.

RECOMMENDATION:

Need to clear notes.

(/vet/kra/gls)

CIVPRO                      San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10      TIME: 10:30      DEPT: S33P  
-----

CASE#: **CON PS0800190**

CASE NAME: MARY SELLMAN

**SEE ALSO 25**

HEARING:

FIRST / CURRENT Account and Report of CHRISTINE ERICKSON-TAUBE  
and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN                      (CPE)...COUNTY COUNSEL  
MARY F SELLMAN                      (CEP)...BRYAN C. HARTNELL  
CHRISTINE ERICKSON-TAUBE      (CPE)...SHERRI L KASTILAHN

GENERAL INFORMATION

**Continued from 4/29/10.**

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Allowance  
of Fees

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting covers period: 10/20/08 – 12/31/09
2. Assets on hand: \$113,763.13 (cash of \$763.13, carry value of real property of \$110,000 and the balance in personal property)
3. Note: The Public Guardian was appointed limited conservator of the person and estate nunc pro tunc to 10/3/09. Yet, the Order Reestablishing Conservatorship and Letters were issued to Christina Erickson-Taube. Does court wish to vacate its order and letters and require letters to be issued to Public Guardian? **Supp: Counsel states that the Minute Order dated 3/19/10 is incorrect. Christina Erickson-Taube was appointed as the conservator, not Public Guardian.**
4. Petitioner requests fees of \$6,839.00. Billed at various rates for various services not exceeding \$105/hour. A portion of the fees include services for after which Public Guardian was appointed (i.e., 14.05 hours, or \$1,070.25). Services are itemized. JTD
5. Attorney requests fees of \$3,701.25. Billed at \$250/hour for attorney time. Itemized. JTD



6. Note: Petitioner and attorney fees request exceed the available cash on hand. Question how petitioner and attorney will be paid? Court may wish to consider reducing the fees in consideration of the value of the estate. JTD
7. Petitioner alleges current bond is fixed in the amount of \$20,000.00. Petitioner requests that the temporary bond be exonerated as it is no longer necessary because a permanent bond is in place. Petitioner has not yet posted the permanent bond. Need same.
8. During the accounting period, petitioner has hired Lance Riley as the real property manager and paid a total of \$1,792.00 for his services. Need verified declaration for services rendered and payment received.
9. Conservatee's income is approximately \$1,123.00/month and with the board and care charges, prescriptions, incidentals and conservatorship administration costs, conservatee's expenses exceed conservatee's income. Thus, question if conservatee can afford to have Lance Riley continue as the real property manager? Alternatively, perhaps Mr. Riley's fees should be deducted from conservator's fee request? File verified supplement.

**RECOMMENDATION:**

Need to clear notes.

(gls)

Superior Court of Calif, County of San Bernardino

Page: 27

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **CON PS0900049**

CASE NAME: TODD L KOERBER

HEARING:

FIRST Account and Report of CHRISTIE DAVIDSON and Petition for allowance of fees filed.

COUNSEL:

CHRISTIE DAVIDSON	(CPE)...KARIN E HORSPPOOL
TODD L KOERBER	(CEP)...JAMES B CHURCH
TODD KOERBER	(TP )...VANCE & BLAIR LLP

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Allowance of Fees

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting covers period: 2/26/09 - 2/26/10
2. Assets on hand: \$70.23 (cash)
3. Petitioner requests fees of \$14,469.00. Billed at various rates for various services not exceeding \$105/hour. Itemized. Petitioner details several hours for filing missing persons reports on conservatee who would eventually show up as well as discovering conservatee's twin bother had been using the conservatee's driver's license for identification and had outstanding warrants. Because of this, conservatee's SSI benefits had been terminated but petitioner eventually corrected this and the SSI benefits were reinstated.
4. Attorney requests fees of \$19,170.00. Billed at \$250-\$275/hour for attorney time. Itemized.
5. Note: Both petitioner and attorney's fees exceed the available cash on hand. Conservatee's income is SSI only of approximately \$5,300/year. Question how petitioner and counsel expect to be paid on an estate that qualified for a waiver of accounting under Pr.C. §2628? It is noted that there are funds from the personal injury litigation, however, these funds are held in the special needs trust. File verified supplement.

6. On the accounting, there are the following inquiries which require verified supplement:
  - (a) There is no items entered as interest-income. Question whether conservatee's funds are held in an interest-bearing account and if not, why not?
  - (b) Petitioner has paid third parties for transportation costs for a cumulative total of \$784.00. Need to file declarations and acknowledgement of receipt of such payment(s) per local rule 20-1406(c)
7. Petitioner has paid various residential facilities for the care of conservatee. Need original facility bills, together with patient ledgers if funds were held in the facility trust account.
8. Petitioner last paid ARM Group Home as conservatee's residential care facility, yet petitioner noticed conservatee as Newburn Guest House. Need post-move notice.
9. Need to file notice of hearing and proof of service to Rod Blair, Esq. who has filed request for special notice.

**RECOMMENDATION:**

Need to clear notes.

(gls)

Superior Court of Calif, County of San Bernardino

Page: 28

San Bernardino Superior Court

CIVPRO San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **GAR SS800028**

CASE NAME: MTR RE MERCADES ALAYZE SMITH

**SEE ALSO 29**

HEARING:

OSC re: Removal for non-issuance of letters filed by MARKIESHA R HARRIS

COUNSEL:

MERCADES ALAYZE SMITH (MIN)...MELVIN L FRIEDLAND

MARKIESHA R HARRIS (GE )...PRO/PER

RONALD SMITH (TP )...LAW OFFICE OF DARREN S. YOUNG

BEVERLY WEST (PRO/PER )...PRO/PER

Related matter SCVSS145640

GENERAL INFORMATION

**Continued from 2/18/10 and 4/29/10. No appearance and Court set this OSC**

THIS CASE IS SET FOR HEARING ON OSC re removal for non-issuance of letters and failure to file an accounting.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Markiesha Harris was appointed guardian of the estate on 12/11/08, but the Order Appointing was issued 5/4/09. Guardianship funds to be placed in blocked account.
2. No Letters of Guardianship have been issued.
3. Proof of blocked account is filed in SCVSS145640. However, the receipts from the bank (State Farm Insurance Bank) do not confirm the funds are "blocked". In addition, it appears that the funds are held in minor's sole name rather than the guardianship.
4. Need first accounting for the period 12/11/08 – 12/11/09 once letters issue.

RECOMMENDATION:

Find out status. Letters of Guardianship should be issued or a successor appointed. Find out status of accounting. Court may wish to set OSC re proof of blocked account. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(gls)

CIVPRO                      San Bernardino Superior Court  
                                 San Bernardino District  
                                 PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10      TIME: 10:30      DEPT: S33P  
-----

CASE#: **GAR SS800028**

CASE NAME: MTR RE MERCADES ALAYZE SMITH  
**SEE ALSO 29**

HEARING:  
Accounting Review

COUNSEL:  
MERCADES ALAYZE SMITH            (MIN)...MELVIN L FRIEDLAND  
MARKIESHA R HARRIS            (GE )...PRO/PER  
RONALD SMITH            (TP )...LAW OFFICE OF DARREN S. YOUNG  
BEVERLY WEST            (PRO/PER                      )...PRO/PER

See prior notes (page 29)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **SC SS01625**

CASE NAME: MTR RE JONATHON RYAN BOYCE

HEARING:

FIFTH Account and Report of JOHN M BOYCE and Petition for allowance of fees filed.

COUNSEL:

JOHN M BOYCE (CPE)...J. DAVID HORSPOOL  
JONATHON RYAN BOYCE (CEP)...

GENERAL INFORMATION

**Continued from 3/11/10 and 4/29/10 at request of counsel. On 3/11/10, the Court approves attorney's fee request of \$1,770.00 and orders representative from IRS Master Trust to be present at this hearing.**

THIS CASE IS SET FOR HEARING ON Fifth Report and Waiver of Account of Conservator and Petition for allowance of fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Report covers period 12/1/08 – 12/31/09.
2. Petitioner requests waiver of account pursuant to Pr.C. § 2628.
3. Petitioner states that conservatee's monthly income consists of an annuity payment in the amount of \$763 and SSI benefits in amount of \$20, and that pursuant to prior order of the Court (8/11/00 – tabbed), petitioner makes periodic transfers to Inland Regional Center Master Trust to administer special needs trust for benefit of conservatee. Order entered 8/11/00 directs that lump sum payments in the years 2001 and 2006 are to be paid to the Master Trust and the monthly annuity payments are to be applied to Medi-Cal as share-of-cost for conservatee.

Review of file indicates the following amounts have been transferred to IRC Master Trust:

7/18/01	\$ 117,110.60
7/1/01 – 7/10/03	unknown
7/11/03 – 7/10/05	38,582.11

7/11/05 – 12/31/07

unknown

1/1/08 – 12/31/09

unknown

Need information as to what amounts (if any) were transferred to IRC Master Trust during periods ending 7/10/03, 12/31/07 and 12/31/09. **Supp: There were no funds transferred to the IRC Master Trust during the following period: 7/1/01-7/10/03; 7/11/05-12/31/07 and 1/1/08-12/31/09.**

4. Court may wish to have petitioner file copy of trust.
5. Petitioner waives compensation.
5. Attorney requests fees in amount of \$1,770.00. Billed at \$295/hour for 6.0 hours. Itemized. (Approved on 3/11/10).
6. Court Investigator report filed 8/25/09.

#### RECOMMENDATION:

Need copy of trust. If approved, set the next hearing re Accounting Review for **3/15/12** to cover period 1/1/10 – 12/31/11. Any accounting to be filed 30 days in advance.

Also need to set Accounting Review hearing for amounts transferred to IRC Master Trust for benefit of conservatee. Suggest 60 days.

(fhl/gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **SC SS02769**

CASE NAME: MTR OF JOHN H MIKEASKY

HEARING:  
Accounting Review

COUNSEL:  
JOHNNY MIKEASKY (CPE)...JAMES B CHURCH  
JOHN H MIKEASKY (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Fourth Account Current due for the period: 2/22/09 – 2/21/10. No accounting is filed. Need same.

RECOMMENDATION:  
Find out status.  
(gls)



CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **SC SS7600**

CASE NAME: IN THE MATTER OF KENNETH L KING

HEARING:  
Accounting Review

	COUNSEL:
KENNETH L KING	(CEP)...
MELODIE Z. SCOTT	(CPE)...J. DAVID HORSPOOL
BRYAN C HARTNELL	(TC )...HARTNELL LISTER & MOORE
MELODIE Z. SCOTT	(CPE)...J. DAVID HORSPOOL

GENERAL INFORMATION

**Continued from 4/8/10 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. First Account Current or waiver of accounting is due from Attorney Bryan Hartnell, successor conservator, for the period 4/2/09 – 4/2/10. No accounting/waiver of accounting is filed. Need same.

RECOMMENDATION:

Find out status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(gls)

FUTURE HEARING 7/08/10 FINAL DISCHARGE

Superior Court of Calif, County of San Bernardino

Page: 33

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **SC SS8012**

CASE NAME: IN THE MTTR OF JAMES JAMES JR

HEARING:

FIRST Account and Report of CHRISTIE DAVIDSON and Petition for allowance of fees filed.

COUNSEL:

JAMES JAMES JR	(CEP)...
MELODIE Z SCOTT	(CPE)...J. DAVID HORSPOOL
CHRISTIE DAVIDSON	(SC )...HORSPOOL & PARKER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Allowance of Fees

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting covers period: 3/5/09 – 3/4/10
2. Assets on hand: \$16,118.79 (cash)
3. Petitioner requests fees of \$7,062.50. Billed at various amounts for various services not exceeding \$85/hour. Itemized. JTD
4. Attorney requests fees of \$3,210.00. Billed at \$250-\$325/hour for attorney time. Itemized. JTD
5. Note: Both petitioner and attorney's fees total approximately 64% of the available cash on hand. However, conservatee's income exceeds his expenses.
6. Petitioner requests that bond be increased to \$47,000 (a total increase of \$10,000). Appears adequate. JTD

RECOMMENDATION:

RFA subject to court's discretion re fees and bond increase. If approved, set next accounting review for **6/16/11**.

(gls)

FUTURE HEARINGS

10/7/10 FINAL DISCHARGE

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **VC VS00433**

CASE NAME: MTR OF CORINNE SARKO

HEARING:  
Accounting Review

	COUNSEL:
MELODIE Z SCOTT	(PET)...SHERRI L KASTILAHN
CORINNE SARKO	(PCE)...
BRYAN C HARTNELL	(TC )...HARTNELL LISTER & MOORE

GENERAL INFORMATION

**Continued from 4/8/10 at request of counsel.**

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Attorney Bryan Hartnell was appointed successor conservator on 4/2/09. A first account current is due for the period 4/2/09 – 4/2/10.

RECOMMENDATION:

Find out status.

(gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **VC VS00475**

CASE NAME: MATTER OF JULIA KOGUT

HEARING:

THIRD Account and Report of GLORIA SHERIDAN and Petition for allowance of fees filed.

COUNSEL:

GLORIA SHERIDAN (CPE)...PRO/PER  
JULIA KOGUT (CEP)...

GENERAL INFORMATION:

**Continued from 3/11/10 and 4/29/10. Court approved expenses. Court finds that conservator is to reimburse conservatee \$1,000 to be paid in monthly payments of \$50.00. Matter continued for petitioner to file supporting schedules for accounting (Note 3 b, c, d).**

THIS CASE IS SET FOR HEARING ON Third Account and Report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Accounting covers period: 11/27/07 – 11/21/09.
2. Assets on hand \$32,366.83 consisting of an annuity in amount of \$29,977.38, balance cash.
3. The following notes relate to the summary of account and supporting statements:
  - a. Summary of account is out of balance in amount of \$154.55. Need new Summary of Account, together with all schedules described on summary. **Supp: Schedules are now attached, but there is no indicating about the discrepancy in the summary of account. Need clarification and/or reconciliation.**
4. Petitioner waives compensation.
5. Petitioner submitted a declaration stating as follows:
  - a. That conservatee resides with her; that conservatee pays \$900 per month for room, board and expenses; that conservatee is never left

alone and if needed petitioner hires someone to come in to care for conservatee for which petitioner pays with her own funds.

b. At various times, petitioner took extra money from conservatee's account as follows:

- i. Tune up and car tires - \$500;
- ii. Repair plumbing - \$525 (slab leak under bathroom which conservatee uses);
- iii. Repair car transmission - \$1,500.

Petitioner states that the bathroom repair was necessary and this is the bathroom conservatee uses as she can get in and out of it with ease and the repairs to the vehicle benefited everyone.

Petitioner requests that Court approve these additional expenses but that if the Court does not approve the expenses, that petitioner be allowed to repay the money to the conservatorship estate in monthly payments. JTD.

**At 3/11/10 hearing, Court approves expenses and found that Gloria Sheridan is to reimburse Julia Kogut \$1,000 to be paid in monthly payments of \$50.00.**

6. Court Investigator report filed 2/1/10.

RECOMMENDATION:

Need to clear notes. Court may wish to set the next hearing re Accounting Review for **2/3/11** to cover period 11/22/09 – 11/21/10. Any accounting to be filed 30 days in advance.

(fhl/gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S33P  
-----

CASE#: **VC VS317**

CASE NAME: IN THE MTTR OF SAMUEL T FELTER

HEARING:  
Accounting Review

COUNSEL:  
SAMUEL TIMOTHY FELTER (PLA)...  
RICHARD HAGAN (PET)...PRO/PER  
MARJORIE HAGAN (PET)...PRO/PER

GENERAL INFORMATION

Continued from **12/17/09**. Court refers matter to Court Investigator to assist with Waiver of Accounting.

**Continued from 2/18/10 and 4/29/10. No appearance. Matter referred to Court Investigator to contact conservator.**

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting/Waiver of Accounting is due for the period: 9/1/07 – current. No accounting is filed. Need same.

RECOMMENDATION:

Find out status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(gls/fhl/gls/fhl/gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

**MISC.**

-----  
DATE: 06/10/10 TIME: 1:30 DEPT: S33P  
-----

CASE#: **PRO PS0900751**

CASE NAME: MTR OF DANETTE LYNN HUGHES

**SEE ALSO 38**

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL AUTH

COUNSEL:

SIDNEY W JONES (PET)...SIDNEY W JONES  
DANETTE LYNN HUGHES (DEC)...  
ERIN HUGHES (OBJ)...CUEVAS & GREGG, LLP  
STATE OF CALIFORNIA FRANCHISE (PRO/PER )...PRO/PER

GENERAL INFORMATION:

Continued from 12/28/09 Attorney Garcia present after matter called and notes matter is contested. Court order both parties present at the next hearing.

**Continued from 03-18-10 and 4/27/10. Matter is contested - set for hearing.**

THIS CASE IS SET FOR HEARING ON

- Petition for Letters of Admin. W/ Full Authority under IAEA, by Sidney Jones
- Competing Petition for Letters W/ Full Authority under IAEA, by Erin Hughes

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

**Petition by Jones (non-relative):**

1. Petitioner claims he is a person entitled to letters. Petitioner states that decedent and her husband were involved in dissolution proceedings. Petitioner alleges there are substantial assets to be divided in the dissolution matter, that husband is adverse to the decedent, that the child or children of the decedent are not available, and with publication of notice, they may appear. Per Pr.C. §8463, if the surviving spouse is a party to an action for dissolution of the marriage of the decedent and the surviving spouse, and was living apart from decedent on the date of the decedent's death, the surviving spouse has priority next after brothers and sisters. (Note: Decedent's daughter has filed a competing petition.)
2. No nomination of petitioner by the surviving spouse is filed. If not a nominee, petitioner is placed last in priority after the PA and any creditors.

3. Petitioner requests bond in amount of \$5,000 and indicates value of estate is "unknown". Court may wish to require minimum bond of \$20,000. JTD.
4. **Objection filed by Erin Hughes** indicating the marriage between petitioner and decedent was dissolved in 1995.
5. **Response filed** alleging Erin Hughes is conflicted in serving as personal representative.

**Petition by Hughes (daughter):**

6. Petitioner alleges she is the sole heir and waives bond.
7. Item 8 is incomplete as to persons checked in item 2. Need verified supplement.
8. Need proof of publication.

**RECOMMENDATION:**

Need to clear notes then set for contested hearing. It would appear that Petitioner Hughes has priority of appointment as Petitioner Jones is not a nominee of the surviving spouse and if a nomination is filed, priority would fall below Petitioner Hughes. If petition granted, court will have to set future dates and determine bond amount and/or bond waiver. Set future hearing for Accounting/Status Review on **08/18/11**. Any accounting to be filed 30 days in advance. Note requirements of Local Rule 20-908.

(fhl/gls/kra/gls/vet/gls)



CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 1:30 DEPT: S33P  
-----

CASE#: **PRO PS0900751**

CASE NAME: MTR OF DANETTE LYNN HUGHES

**SEE ALSO 37**

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority  
under IAEA.

COUNSEL:

SIDNEY W JONES (PET)...SIDNEY W JONES  
DANETTE LYNN HUGHES (DEC)...  
ERIN HUGHES (OBJ)...CUEVAS & GREGG, LLP  
STATE OF CALIFORNIA FRANCHISE (PRO/PER )...PRO/PER

See prior notes (page 37)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 1:30 DEPT: S33P  
-----

CASE#: **VC VS00439**

**SEE ALSO 40 THRU 43**

HEARING:

Hearing Re: Petition for Order Authorizing Payment

COUNSEL:

MARIO HOLGUIN	(CPE)...JO ANN MCDOLE
PHILLIP R HOLGUIN	(PET)...FRANK J PRAINITO
YOLANDA WU	(PET)...FRANK J PRAINITO
ARMIDA HOLGUIN	(CEP)...E. JOAN NELMS
E JOAN NELMS	(PET)...E. JOAN NELMS

GENERAL INFORMATION

Matter originally set as Ex Parte on 01/19/10. Attorney Frank Prainito and Attorney Walter Moore objected in court.

**Continued from 3/3/10.**

THIS CASE SET FOR HEARING ON Petition for Order Authorizing Payment.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Mario Holguin, is requesting an order authorizing to pay Gloria Holguin from the blocked Conservatorship account \$30,856.79 for caregiver services for the Conservatee.
2. Petitioner hired Gloria Holguin to provide care for the Conservatee and allegedly agreed to pay Gloria Holguin \$2,500 a month for services. On May 31, 2005, the end of the 1<sup>st</sup> accounting, the Conservatee owed Gloria \$6,154.00 and said ordered authorized payment as such. Petitioner was unable to pay Gloria's salary and is now requesting a total sum of \$30,856.79 for services, which petitioner indicates agreed to pay her from the sale of the Conservatee's home. Escrow closed on 08/05/09 with net proceeds of \$134,196.01 which were placed into a blocked account. Petitioner alleges that the Conservatorship has a current balance of \$134,555.67

## RECOMMENDATION

Need to clear note 2. Matter is contested.

Cbr/gls

## FUTURE HEARINGS

7/22/10 READINESS & OTHERS

7/28/10 TRIAL & OTHERS

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 1:30 DEPT: S33P  
-----

CASE#: **VC VS00439**

CASE NAME: MATTER OF ARMIDA RODRIGUEZ HOLGUIN  
**SEE ALSO 39 THRU 43**

HEARING:  
Mandatory Settlement Conference

COUNSEL:	
MARIO HOLGUIN	(CPE)...JO ANN MCDOLE
PHILLIP R HOLGUIN	(PET)...FRANK J PRAINITO
YOLANDA WU	(PET)...FRANK J PRAINITO
ARMIDA HOLGUIN	(CEP)...E. JOAN NELMS
E JOAN NELMS	(PET)...E. JOAN NELMS

No notes – M.S.C.

FUTURE HEARINGS  
7/22/10 READINESS & OTHERS  
7/28/10 TRIAL & OTHERS

Superior Court of Calif, County of San Bernardino

Page: 41

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 1:30 DEPT: S33P  
-----

CASE#: **VC VS00439**

CASE NAME: MATTER OF ARMIDA RODRIGUEZ HOLGUIN  
**SEE ALSO 39 THRU 43**

HEARING:  
Petition for ATTORNEY FEES AND COSTS

COUNSEL:

MARIO HOLGUIN	(CPE)...JO ANN MCDOLE
PHILLIP R HOLGUIN	(PET)...FRANK J PRAINITO
YOLANDA WU	(PET)...FRANK J PRAINITO
ARMIDA HOLGUIN	(CEP)...E. JOAN NELMS
E JOAN NELMS	(PET)...E. JOAN NELMS

GENERAL INFORMATION

**Continued from 02/11/10 and 3/3/10 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees and Costs filed by Attorney Frank Pranito

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Attorney requests fees of \$10,683.75, together with costs of \$410.00, for a total of \$11,093.75. Billed at \$300/hour for attorney time and \$75-\$150/hour for paralegal time. Itemized.
2. **Objections filed by Conservator (tabbed).**
3. **There is also a petition for attorney's fees filed by E. Joan Nelms, which was supplemented on 2/11/10. This petition was originally calendared for 9/21/09 but there is no Minute Order for this date so it is not clear whether Ms. Nelms petition is also before the court. If not, court may wish to calendar the petition for fees by Ms. Nelms.**

RECOMMENDATION:

Re: Fees requested by Atty Pranito: Matter is contested.

Re: Fees requested by Atty Nelms: Set matter on calendar.

(gls/cbr/gls)

FUTURE HEARINGS  
7/22/10 READINESS & OTHERS  
7/28/10 TRIAL & OTHERS

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 1:30 DEPT: S33P  
-----

CASE#: **VC VS00439**

CASE NAME: MATTER OF ARMIDA RODRIGUEZ HOLGUIN  
**SEE ALSO 39 THRU 43**

HEARING:  
Accounting Review

COUNSEL:

MARIO HOLGUIN	(CPE)...JO ANN MCDOLE
PHILLIP R HOLGUIN	(PET)...FRANK J PRAINITO
YOLANDA WU	(PET)...FRANK J PRAINITO
ARMIDA HOLGUIN	(CEP)...E. JOAN NELMS
E JOAN NELMS	(PET)...E. JOAN NELMS

Vacate – Accounting filed (page 43) and successor conservator is only as to person.

FUTURE HEARINGS  
7/22/10 READINESS & OTHERS  
7/28/10 TRIAL & OTHERS

Superior Court of Calif, County of San Bernardino

Page: 43

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE J MICHAEL WELCH

-----  
DATE: 06/10/10 TIME: 1:30 DEPT: S33P  
-----

CASE#: **VC VS00439**

CASE NAME: MATTER OF ARMIDA RODRIGUEZ HOLGUIN  
**SEE ALSO 39 THRU 42**

HEARING:

FINAL Account and Report of MARIO HOLGUIN and Petition for allowance of fees filed.

COUNSEL:

MARIO HOLGUIN	(CPE)...JO ANN MCDOLE
PHILLIP R HOLGUIN	(PET)...FRANK J PRAINITO
YOLANDA WU	(PET)...FRANK J PRAINITO
ARMIDA HOLGUIN	(CEP)...E. JOAN NELMS
E JOAN NELMS	(PET)...E. JOAN NELMS

GENERAL INFORMATION

Conservatee died on 06/09/09.

**Continued from 3/3/10**

THIS CASE SET FOR HEARING ON Petition for Final Account and Allowance of Fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 06/09/09 – 01/19/10 (after death).
2. Assets on hand \$123,792.00 (cash and life insurance of \$736.33).
3. Need summary of account on mandatory Judicial Council Form GC-400/SUM.
4. Beginning balance on account does not match ending balance of second accounting. Need amended account.
5. Need schedule of disbursements.
6. Need bank statement to support ending balance of accounting.
7. Petitioner, Mario Holguin Conservator of the estate, is requesting reimbursement for expenses totaling \$1,474.61. Itemized.
8. Petitioner is requesting Conservatorship fees authorized from the 1<sup>st</sup> account which were only partially reimbursed. Conservator alleges he is still owed \$1,025.16 out of \$2,076.16.
9. Attorney McDole is requesting fees of \$5,860.44 based on the value of the estate per Pr. C. § 10800 (statutory calculation based on decedent's estates) instead of at a billed rate of \$12,600.00. JTD



10. Petitioner is requesting fees of \$5,860.44 for services rendered for the benefit of the Conservatorship. Not itemized. This figure is based on Pr. C. § 10800 (statutory calculation based on decedent's estates). Need itemization of services .
11. Attorney is requesting reimbursement of costs totaling \$622.20. Itemized.
12. Petitioner is requesting to pay caregiver Gloria Holguin for unpaid services of \$33,377.00. Question why fees are over other requested fees? (See matter 22) Need verified supplement.
13. Petitioner is requesting "Ordering E. Jo Nelms to reimburse the Conservatorship estate all attorney fees incurred herein by the Conservator's attorney and ½ of the attorney fees incurred by the Conservator's attorney as set forth in the third supplement to the 2<sup>nd</sup> accounting filed concurrently herewith, to wit ½ \$10,500". This statement is ambiguous. Need verified supplement further explaining.
14. Need statement re familial relationships.
15. Petitioner is requesting to disallow any attorney's fees request for E. Joan Nelm's and Frank Prainito (see other matters).

#### RECOMMENDATION

Need to clear notes.

Cbr/gls

#### FUTURE HEARINGS

7/22/10 READINESS & OTHERS

7/28/10 TRIAL & OTHERS

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

## PROBATE

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO DS1000202**

CASE NAME: MAVY O. ALMIND

### HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With  
Full Authority Under IAEA.

### COUNSEL:

KEITH ALMIND	(PET)...MCINTYRE LAW GROUP
MAVY O. ALMIND	(DEC)...

### GENERAL INFORMATION

**Continued from 4/29/10 to review publication. Publication does not include name of decedent.**

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA

### THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need proof of publication.
2. Notice of Hearing and proof of service is filed. However, need notice of Petition to Administer Estate and proof of service to reflect specific language of probate administration.
3. Will waives bond.

### RECOMMENDATION:

RFA subject to notes 1 & 2, no bond. If approved, set future hearing for Accounting/Status Review on **8/18/11**. Any accounting to be filed 30 days in advance. Note Local Rule requirements.

(kra/gls/fhl)

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO DS1000224**

CASE NAME: THE DONALD E. WHITE REVOCABLE

HEARING:

Petition for ORDER CONFIRMING EXISTENCE OF TRUST, TRUST  
ASSET & AUTH OF TRUSTEE

COUNSEL:

THE DONALD EREVOCABLE (TRU)...  
NELSON WHITE (TEE)...VICTORIA P STAPLETON

GENERAL INFORMATION:

**Continued from 5/6/10 by Court. Need deed conveying property out.**

THIS CASE IS SET FOR HEARING ON Petition Confirming Trust, Trust Asset, Authority  
of Trustee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Petitioner is acting successor trustee of trust established by his father, who is now deceased. Petitioner submits copy of trust together with amendments thereto. First Amendment to Trust shows real property as asset of the trust and copy of deed shows property was titled in the trust. Title to real property was removed from trust for purposes of refinancing a loan but was never titled back into trust.
2. Petitioner requests an order confirming that Donald E White Revocable 2003 Trust exists and is valid; confirming Nelson White is the successor trustee of the trust; confirming that real property is asset of the trust. JTD.
3. **Need copy of deed transferring property out of trust per 5/6/10 Minute Order.**

RECOMMENDATION:

Court's discretion.

(fh)

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO DS1000316**

CASE NAME: BERNARD RICHARD MILEY

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority  
under IAEA.

COUNSEL:

KATHY L. GRINDLE (PET)...CAROLYN J SCHAUF  
BERNARD RICHARD MILEY (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full  
authority under IAEA.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Consent to petitioner's appointment and waiver of bond filed by other remaining  
heir of decedent.
2. Item 8 incomplete as to relationship of heirs to decedent. Need verified  
supplement.
3. Need proof of publication.

RECOMMENDATION:

Need to clear notes. If approved, set future hearing for Accounting/Status Review on  
**8/18/11**. Any accounting to be filed 30 days in advance. Note requirements of local rule  
20-908.

(fhl)

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO DS1000320**

CASE NAME: ZHISHI XIA

HEARING:  
Spousal Property Petition hearing.

	COUNSEL:
BAOLING LI	(PET)...TAYLOR, SIMONSON & WINTER LLP
ZHISHI XIA	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
2. Decedent is survived by spouse and two children.
3. Petitioner alleges that she and decedent were married in 1971 and that at the time of their marriage, neither of them had any assets of any significant value. Petitioner alleges that all of their assets were acquired during the marriage and that the real property located in Fontana, CA was purchased with income earned during the marriage.
4. Declarations signed by children of decedent indicate that it is their understanding that all property was community property of decedent and spouse.
5. Need notice of hearing and proof of service.

RECOMMENDATION:

Need notice; then Court's discretion.  
(fh)

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO DS1000348**

CASE NAME: LAWRENCE T OTERO

HEARING:

Hearing re: Petition for Letters of Admin. W/ Limited Authority  
under IAEA

CYNTHIA PATTI	COUNSEL:
LAWRENCE T OTERO	(PET)...DONALD N FELD
	(DEC)...

No file available for review.

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0600060**

CASE NAME: GLORIA BLOOM

HEARING:  
Hearing Re: STATUS REPORT

	COUNSEL:
RANDI GUERRERO	(PET)...PRO/PER
GLORIA BLOOM	(DEC)...
GARY BLOOM	(PET)...ANNETTE G DEBELLEFEUILLE

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON: Status Report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. A stipulation and order was entered on 4/27/09 which resolved all matters at issue in the case. Court set hearing re status, receipts and final discharge. After several continuances, this matter was set at 3/4/10 hearing after counsel requested continuance to finalize accounting.
2. Need status report.

RECOMMENDATION:

Inquire status.  
(fhl)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0700822**

CASE NAME: OLIN WEBB JONES

**SEE ALSO 8 8A**

HEARING:

Motion Re: TO ENFORCE SETTLEMENT ETC ETC Filed by Petitioner  
DONNA MCGUIRE

ORIN ROBERT JONES  
OPAL I JONES  
DONNA MCGUIRE

COUNSEL:  
(PET)...DUANE P BOOTH  
(OBJ)...D JASON DAVIS  
(D JASON DAVIS )...D JASON D

No notes – Judge to decide.



CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0700822**

CASE NAME: OLIN WEBB JONES

**SEE ALSO 7 8A**

HEARING:  
Probate status report filed.

	COUNSEL:
ORIN ROBERT JONES	(PET)...DUANE P BOOTH
OPAL I JONES	(OBJ)...D JASON DAVIS
DONNA MCGUIRE	(D JASON DAVIS )...D JASON D

GENERAL INFORMATION

Continued from **10/15/09**. Attorney Davis stated his client died in May 2009. Attorney Davis advised the Court that heirs will be objecting once the estate is opened as they have never received their personal property. Hearing continued at request of Attorney Davis to file petition to administer estate.

Continued from **12/17/09** to be heard with companion case PROPS0900833. No new research completed. The notes below are from the hearing on 12/17/09.

Continued from **12/28/09**, at request of counsel for objector. The notes below, from 12/17/09, have been updated.

**Continued from 4/276/10 for review of late supplements and objections filed.**

THIS CASE IS SET FOR HEARING ON Report of Status of Compliance with Settlement Agreement

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. This is a trust proceeding. It began as a petition for instructions. The parties entered into a settlement agreement. The Trustee, Orin Jones, has filed his report of status in compliance with the settlement agreement.
2. In 9/08, the parties stipulated to the sale of the real property, and objector's interest would terminate if Opal Jones predeceased the sale of the real property. Opal Jones died on 5/28/09. Trustee alleges per paragraph 5(c) of the Stipulation and order filed 9/20/08, all of Opal Jones' interest in the

real property is terminated. The Trust real property is sold and escrow was to close on 8/31/09. Question whether the real property rented prior to its sale, and if so, question whether there was any excess rental income to be divided to the estate of Opal Jones per the settlement agreement? File verified supplement. **Supp: property was not rented.**

3. Trustee requests that this matter be terminated/dismissed. **Update: Subsequent status report filed by objector on 12/22/09. See next matter. Report states that the administrator for Opal Jones' estate may file an objection to the final distribution of proceeds of sale, because the trustee is alleged to have improperly disposed of Opal Jones' personal property.**

#### RECOMMENDATION

Court's discretion.

(cbr/fhl)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0700822**

CASE NAME: OLIN WEBB JONES

**SEE ALSO 7 8**

HEARING:  
Probate status report filed.

	COUNSEL:
ORIN ROBERT JONES	(PET)...DUANE P BOOTH
OPAL I JONES	(OBJ)...D JASON DAVIS
DONNA MCGUIRE	(D JASON DAVIS )...D JASON D

GENERAL INFORMATION

**Continued from 02/03/10 on Court's own motion to trail other matter.**

THIS CASE IS SET FOR HEARING ON Report of Status re Substitution of Party and Objections to Final Disposition of Settlement Agreement

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED

1. This is a trust proceeding. It began as a petition for instructions by the Trustee, Orin Jones against Objector, Opal Jones. The parties later entered into a settlement agreement.
2. In 9/08, the parties stipulated to the sale of real property, and objector's interest would terminate if she died before the real property was sold.
3. Opal Jones alleges that the trustee failed to give her access to the real property and disposed of her personal property without her authorization. Opal Jones died on 6/17/09, before a motion to enforce the settlement agreement could be filed. A petition to administer the estate of Opal Jones has been filed. If an administrator is appointed, the rep. may substitute in as a party to these proceedings to object to final distribution of the sale proceeds and seek enforcement of the settlement agreement. **Supp: P&As supporting application for order substituting party indicates that Donna McGuire was appointed 2/1/10 as administrator of the estate of Opal Jones. Donna McGuire requests that she be substituted in as a party in place of Opal Jones per CCP §377.20 (a cause of action for or**

against a person is not lost by reason of the person's death), CCP §377.21 (A pending action or proceeding does not abate by the death of a party if the cause of action survives), CCP §377.30 (an action may be commenced by the decedent's personal representative or, if none, by the decedent's successor in interest), and *Parsons v. Tickner* (1995) 31 Cal.App. 4th 1513, 1521. Ms. McGuire states that she is seeking to enforce the terms of the settlement agreement which were not performed by the Trustee.

#### RECOMMENDATION

Court's discretion.

(smj/cbr/fhl)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0701090**

CASE NAME: JUAN G. OLVERA

HEARING:  
Hearing re Final Discharge

	COUNSEL:
ESTELLA V. OLVERA	(PET)...ROBERTS & ROBERTS
JUAN G. OLVERA	(DEC)...

GENERAL INFORMATION:

**Continued from 3/25/10, 4/29/10 no appearance. Clerk mailed notice to counsel of record. At 4/29/10 hearing Court ordered Counsel to appear with client at next Court hearing if deficiencies have not been corrected.**

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner is sole heir. Need to submit final discharge per Pr.C. 11753. **Final discharge is submitted, however, it does not comply with Pr.C. §11753 (recording information of Order for Final Distribution). In addition, the discharge is not submitted on the current Judicial Council form.**

RECOMMENDATION:

Need proper discharge.  
(gls/kra/gls/fhl)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0800493**

CASE NAME: THE RIDER FAMILY REVOCABLE TRUST

HEARING:  
Hearing Re: STATUS OF SETTLEMENT

	COUNSEL:
JANET FLOWERS	(PET)...GRESHAM SAVAGE NOLAN & TILDEN
ELIZABETH NAN RIDER	(PET)...PATRICK J ROGERS
KENNETH ROBERTSON	(PET)...PATRICK J ROGERS
THE RIDER FAMILY REVOCABLE TRU	(TRU)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status of Settlement.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. At 11/30/09 settlement conference, parties reached agreement. Terms of settlement recited into record and Court set this matter.

RECOMMENDATION:

Court's discretion.

(fh)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0800556**

CASE NAME: COLLEEN LESLIE REILLY-LARSEN

**SEE ALSO 11A**

HEARING:

Motion Re: FOR JUDGMENT ON THE PLEADINGS ; MEMORANDUM OF POINTS  
AND AUTHORITIES Filed by Petitioner CARMINE A CANNARELLA

COUNSEL:

CARMINE A CANNARELLA	(PET)...	FULLERTON LEMANN SCHAEFFER & D
COLLEEN. LESLIE REILLY-LARSEN	(DEC)...	
DIANE REILLY	(PET)...	VOSS SILVERMAN & BRAYBROOKE
RICHARD REILLY	(PET)...	VOSS SILVERMAN & BRAYBROOKE

No notes – Judge to decide.

FILE TO L&M FOR RESERACH

07/28/10 Mandatory Settlement Conference

8/12/10 Readiness

08/16/10 Hearing Re: TRIAL

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0800556**

CASE NAME: COLLEEN LESLIE REILLY-LARSEN

**SEE ALSO 11**

HEARING: REPORT OF STATUS OF ADMINISTRATION

COUNSEL:

CARMINE A CANNARELLA	(PET)...	FULLERTON LEMANN SCHAEFFER & D
COLLEEN. LESLIE REILLY-LARSEN	(DEC)...	
DIANE REILLY	(PET)...	VOSS SILVERMAN & BRAYBROOKE
RICHARD REILLY	(PET)...	VOSS SILVERMAN & BRAYBROOKE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status report of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges the estate is not in a condition to be closed as a will contest has been filed and trial is scheduled for 8/16/10.
2. Petitioner requests the administration continue for an additional year or until 5/31/11.
3. Petitioner states that no creditor claims have been filed. However, there was 1 creditor claim filed 1/14/09 by Richard S. Reilly in amount of \$18,249.83. It does not appear claim was served on personal representative.
4. Need copies of bank statements verifying balances at date of death and at time of filing status per local rule 20-908.
5. Need notice of hearing and proof of service.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing re accounting review for **6/2/11**.  
(fhl)

FUTURE HEARINGS:

07/28/10 Mandatory Settlement Conference  
8/12/10 Readiness  
08/16/10 Hearing Re: TRIAL



CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0800604**

CASE NAME: ESTER BERNICE YANKE

HEARING:  
Accounting Review

	COUNSEL:
STERLING CHURCH	(PET)...LAW OFFICES OF LARRY M NAKAHAR
ESTER BERNICE YANKE	(DEC)...

GENERAL INFORMATION:  
**Continued from 10/22/09, 1/7/10, 4/22/10 at request of counsel.**

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Letters of Administration issued 8/18/08 (full authority, no bond)
2. No accounting or status report is filed. Need same.

RECOMMENDATION:

Find out status. When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.  
(gls/fhl)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0800662**

CASE NAME: PABLO BERNARDO RANGEL

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

GUADALUPE MARIA HERRERA DE RAN(PET)...CHRISTINA FERRANTE  
PABLO BERNARDO RANGEL (DEC)...  
CHRISTINE P SNAPP (TP )...PATTERSON HANNA & ASSOC  
HEIDI H ROMEO (VARNER & BRANDT, LLP )...VARNER &  
STATE OF CALIFORNIA FRANCHISE (PRO/PER )...PRO/PER

GENERAL INFORMATION:

**Continued from 02-09-10 and 04-27-10 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON inventory & appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters issued 12-04-08, no bond.
2. Final inventory filed. However, sections 3 and 5 are incomplete. Need correction of same.
3. Need Property Tax Certificate.

RECOMMENDATION:

Need to clear notes. No bond company to notice.

(vet)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0800778**

CASE NAME: JODY MCGUIRK SPECIAL NEEDS TRUST

HEARING:

First Account and Report of CATHE FULLER and Petition for  
allowance of fees filed.

COUNSEL:

JODY MCGUIRK SPECIAL NEEDS TRU (TRU)...  
CATHE FULLER (TEE)...JAMES B CHURCH

GENERAL INFORMATION

**Continued from 4/29/10 for counsel to supplement notes with credit card receipts  
and explanation to determine if expenses qualify for special needs trust  
expenditures.**

THIS CASE IS SET FOR HEARING ON 1st account current of trustee for SNT and  
petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 8/20/08 – 9/30/09.
2. Assets on hand \$42,645.33 consisting of cash.
3. Trustee alleges that the beneficiary obtained a credit card and uses it for minor personal expenses. It appears that the credit card payments are not made on a monthly basis. Question if that is because the balance is paid each month after use? Need verified supplement.
4. Bond is currently set at \$49,000. Petitioner requests the bond be reduced by \$9,000 for a total bond of \$40,000. Appears adequate. JTD
5. Petitioner waives compensation.
6. Attorney requests fees of \$5,618.75 and reimbursement of costs of \$680.00. Billing is based on a rate for attorneys at \$250-\$300/hour and paralegal at \$100/hour for a total of 28.6 hours. Itemized. As \$6,167.50 was placed in the attorney/client trust account, attorney is requesting the balance of \$131.25 to be paid directly from the trust.

7. **Need supplement with credit card receipts and explanation per 4/29/10 Minute Order.**

RECOMMENDATION:

If approved court to set next hearing re Accounting Review for **1/6/11**. Accounting to cover the period of 10/1/09 – 9/30/10. Any accounting to be filed 30 days in advance.

(kra/gls/fhl)

CIVPRO                      San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10      TIME: 9:00      DEPT: S34P  
-----

CASE#: **PRO PS0800844**

CASE NAME: KATHLEEN E. VENTO

HEARING:

FINAL Account and Report of STEVEN J. VENTO, ANDREA B. WHITE and  
Petition for allowance of fees filed.

	COUNSEL:
STEVEN J. VENTO	(PET)...STEPHEN A. WORKMAN
ANDREA B. WHITE	(PET)...STEPHEN A. WORKMAN
KATHLEEN E. VENTO	(DEC)...

No file available for review.

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0800900**

CASE NAME: MARTHA JAYNE ANTILL

HEARING:

FIRST Account and Report of DAVID JAMES BROWN and Petition for allowance of fees filed.

COUNSEL:

DAVID JAMES BROWN	(PET)...ORREN & ORREN
MARTHA JAYNE ANTILL	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Account covers period 7/15/08 – 3/16/10.
2. Assets on hand \$136,728.06 consisting of cash in amount of \$228.06, balance real and personal property.
3. Receipts schedule includes amount of \$2,970.00 which is actually a loan. Question whether reimbursement will be sought for amounts advanced to estate? Need verified supplement.
4. Petitioner does not state why estate is not in a condition to be closed or when he anticipates estate may be closed. Need verified supplement.
5. Need copies of bank statements verifying balance per local rule 20-908.
6. Need notice of hearing and proof of service.

RECOMMENDATION:

Need to clear notes.

(fhl)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0800930**

CASE NAME: RICHARD L CLARK

***SEE ALSO 18***

HEARING:  
Hearing re: Inventory and appraisal

	COUNSEL:
RYANN CLARK	(PET)...WALTER T MOORE
RICHARD L CLARK	(DEC)...

GENERAL INFORMATION:

**Continued from 07/06/09, 2/1/10, 3/11/10, 4/15/10 at request of counsel. At 4/15/10, Court ordered citation issued to Ryann Clark who is cited and required to appear and show cause why failure to appear/failure to produce Inventory and Appraisal.**

THIS CASE IS SET FOR HEARING ON: Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters issued 11/24/08. No bond required.
2. No Inventory and Appraisal filed. Need same.

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, the court may set a hearing in accord with Pr.C. §§ 8804 and/or 8505. There is no bonding company to notice.  
(fhl/cbr/fhl/kra/fhl)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0800930**

CASE NAME: RICHARD L CLARK

***SEE ALSO 17***

HEARING:  
Accounting Review

	COUNSEL:
RYANN CLARK	(PET)...WALTER T MOORE
RICHARD L CLARK	(DEC)...

GENERAL INFORMATION:  
**Continued from 3/11/10, 4/15/10 at request of counsel.**

THIS CASE IS SET FOR HEARING ON: Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters issued 11/24/08. No bond required.
2. No accounting or status report of administration filed.

RECOMMENDATION:  
Inquire status.  
(fhl/kra/fhl)



CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0800960**

CASE NAME: MARGARET E. JAMES

**SEE ALSO 20**

HEARING:

WAIVER OF Account and Report of GLENN R. WISEGARVER and  
Petition for allowance of fees filed.

GLENN R. WISEGARVER	COUNSEL:
MARGARET E. JAMES	(PET)...MELISSA E REILLY
	(DEC)...

GENERAL INFORMATION

**Continued from 01/11/10, 03/08/10, 4/15/10. Need proposed distribution of property, petitioner to confer with siblings to resolve issues and file amended petition for distribution. At 4/15/10 hearing, Court directs petitioner to supplement the notes to state whether property is to be sold or if property is to be distributed in kind. If property to be sold, need reappraisal and listing.**

THIS CASE IS SET FOR HEARING ON Petition for final distribution upon waiver of account and for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters testamentary issued on 12/4/08.
2. All beneficiaries waive accounting.
3. Petitioner waives compensation. There is no atty.
4. Petitioner does not state a proposed distribution. Instead, she states only that the estate Yucaipa real property (the sole estate asset) has not been distributed and shall be maintained in status quo until the beneficiaries agree what to do with it. Decedent's will states that one acre of the property shall be partitioned and bequeathed to daughter/petitioner Glenna Wisegarver (with the estate to pay costs including survey reports to make the partition) and that all remaining estate assets shall be shared among the named beneficiaries. It therefore appears that the estate is not ready to close because a closed estate could not

continue to hold the estate property, there would be no acting executor to effectuate any eventual property transfer, there is the open issue of how the estate could and would pay for the costs of the required partition, etc. **Supp: Petitioner states that she has agreed to waive her right to the one acre and therefore no partition will be necessary. Petitioner adds that to avoid ongoing costs and delays of probate, the beneficiaries have stipulated to a division of the estate property (signed stipulation provided).** If the beneficiaries will all be taking distribution of the real property in kind as tenants in common then estate can close. If not then the estate would still need to remain open to provide for the eventual sale and transfer of the property. The filing states only that they have agreed to each beneficiary's percentage interest in the estate without specifically proposing distribution of the real property to them. Suggest court confirm.

5. **Petitioner has filed a Status Report and request to vacate waiver of account (see next page – Matter 20). JTD.**

#### RECOMMENDATION

Court's discretion re note 5.

(abs/cbr/abs/fhl)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0800960**

CASE NAME: MARGARET E. JAMES

**SEE ALSO 19**

HEARING:  
Probate status report filed.

	COUNSEL:
GLENN R. WISEGARVER	(PET)...MELISSA E REILLY
MARGARET E. JAMES	(DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status report of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges the estate is not in a condition to be closed as the real property has not been sold. Petitioner alleges the real property will be listed after reappraisal for sale has been completed by Probate Referee.
2. Petitioner requests that Court vacate the hearing on waiver of account and allow administration to continue for an additional year.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing re accounting review for **6/16/11**.  
(fhl)

CIVPRO                      San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10      TIME: 9:00      DEPT: S34P  
-----

CASE#: **PRO PS0800984**

CASE NAME: ELIZABETH LOOMIS

HEARING:  
Accounting Review

	COUNSEL:
SEAN LOOMIS	(PET)...WILLIAM M NASSAR & ASSOCIATES
ELIZABETH LOOMIS	(DEC)...

GENERAL INFORMATION

**Continued from 2/22/10, 4/1/10 at request of counsel. On 4/1/10, Court is informed that Counsel is waiting for waivers from the family.**

THIS CASE SET FOR HEARING ON Accounting Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued 12/15/08, limited authority no bond.
2. Need accounting.

RECOMMENDATION

Inquire status. When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(cbr/fhl)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0900004**

CASE NAME: ALFONSO PINSON

HEARING:

WAIVER OF FIRST AND FINAL Account and Report of ADRIANA BITTER  
and Petition for allowance of fees filed.

	COUNSEL:
ADRIANA BITTER	(PET)...DANIEL V. DUROSS
ALFONSO PINSON	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Fees and for  
Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Petitioner, as sole beneficiary of decedent's estate, has waived accounting.
2. Petitioner waives statutory compensation.
3. Attorney requests statutory compensation in amount of \$3,922.93. Amount should be \$3,918.93.
4. Note: Need to file copies of bank statements to support original inventory values (i.e., date of death) and amount on hand for distribution per local rule 20-908.
5. Need address of distributee of estate.
6. Need notice of hearing and proof of service.

RECOMMENDATION:

Need to clear notes. If approved, court to set hearing re filing receipts and final discharge  
for **6/16/11**.

(fh)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0900284**

CASE NAME: MTR OF ALLAN IRWIN MILLER

HEARING:  
Hearing Re: PETITION TO TERMINATE PROBATE

	COUNSEL:
SAMUEL K MILLER	(PET)...LENITA A SKORETZ
ALLAN IRWIN MILLER	(DEC)...
ALEX K KAFALIAS JR	(TP )...ROSS H BERGMAN & ASSOCIATES

GENERAL INFORMATION

Continued from **03/29/10**. Surviving spouse, Georgia Miller, is now deceased. Attorney Anderson will be filing objections. Objections to be filed by 04/19/10.  
**Continued from 5/3/10.**

THIS CASE SET FOR HEARING ON Petition for Dismissal per Pr. C. § 12251.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is requesting that the probate matter be dismissed based on all assets were held in joint tenancy with the decedent's wife. Upon satisfaction, the Court may terminate (not dismiss) the proceeding and discharge the personal representative (Pr.C.§12251).
2. Proposed order returned for correction. Need corrected order submitted after hearing.

RECOMMENDATION

Court's discretion.  
(cbr/kra/abs/cbr/fhl)

Future hearing dates:  
9/15/10 Accounting Review  
9/15/10 Hearing re: Inventory and appraisal

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0900340**

CASE NAME: ISRAEL WEINSHEINK

HEARING:

FIRST AND FINAL Account and Report of RHONDA ALLSTON and  
Petition for allowance of fees filed.

	COUNSEL:
RHONDA ALLSTON	(PET)...JEFFREY C. MAYES
ISRAEL WEINSHEINK	(DEC)...
INHERITANCE FUNDING COMPANY IN	(TP )...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for  
allowance of fees filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Accounting covers period 12/30/08 – 2/10/10.
2. Assets on hand \$253,666.93, consisting of cash in amount of \$247,290.22, and automobile.
3. Petitioner requests statutory commission in amount of \$8,075.80. Amount should be \$8,086.68. JTD.
4. Attorney requests statutory fee in amount of \$8,075.80. Amount should be \$8,086.68. JTD.
5. Attorney requests reimbursement of costs in amount of \$630 for filing fee and publication. JTD.
6. Petitioner requests authority to withhold \$1,000 for incidental closing costs. JTD.

RECOMMENDATION:

RFA subject to Court's discretion re fees. If approved, court to set hearing re filing receipts and final discharge for **6/16/11**.

Future hearing re filing of Inventory and Appraisal may be vacated.

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0900366**

CASE NAME: SAM DOPPIERI & ROSEMARY DOPPIERI REV. TRUST

HEARING:  
Readiness Calendar

TIRSA DOPPIERI	COUNSEL:
SALVADOR ANTONI DOPPIERI& ROSE	(PET)...PRO/PER
ROSEMARY DOPPIERI	(TRU)...
	(OBJ)...LAW OFFICE OF H JOHN KHOUKAZ

No notes – Readiness.

FUTURE HEARINGS  
6/14 6/15 6/17 TRIAL



CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **PRO PS0900716**

CASE NAME: MTR OF EDITH FRANCES BUFORD

HEARING:  
Petition for LETTERS OF ADMINISTRATION W/LIMITED IAEA

	COUNSEL:
RICHARD PECK	(PET)...GARY M BULLOCK & ASSOCIATES
EDITH FRANCES BUFORD	(DEC)...
CAROL PECK	(PET)...PRO/PER
SHERRY LYNN DOVE	(OBJ)...PRO/PER
WILLIAM H. PECK	( )...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration W/Limited Authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Petitioner states that all heirs waive bond. Need waiver from Willis Buford.
2. Petitioner has attached copies of waivers of bond. Does Court wish to have original waivers filed? JTD.
3. Need waiver from Willis Buford.
4. Need notice of petition to administer estate.
5. Need proof of publication.

RECOMMENDATION:  
Need to clear notes.

(fhl)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **SPR SS04192**

CASE NAME: ESTATE OF MARCELINA M MARIN

HEARING:  
Hearing re Final Discharge

	COUNSEL:
MARCELINA M MARIN	(DEC)...
LINDA MAXWELL	(SA )...MAUREEN MURATORE
IRENE ARRIAGA	(OBJ)...
THOMAS M DAVIS	(PRO/PER )...PRO/PER

No file available for review.

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 9:00 DEPT: S34P  
-----

CASE#: **SPR SS06584**

CASE NAME: ESTATE OF WALTER F RYBAK

HEARING:  
Accounting Review

	COUNSEL:
AUDREY RIDER	(PET)...WILLIAM J WARD
WALTER F RYBAK	(DEC)...
DOREEN E RYBAK	(PET)...JAY SCOTT STEIN
MICHAEL G WUFLESTAD	(PET)...JAY STEIN
BRENDA HAGERMAN	(TP )...CHARLES APPEL

GENERAL INFORMATION

Continued from **12/14/09** to file amended petition.

**Continued from 1/28/10. Counsel reports that locomotive was sold. Counsel directed to file supplement to include date of death value of assets.**

THIS CASE SET FOR HEARING ON 1st & final account by Michael G Wuflestad and petition for fees and final distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period covers 2/5/07 – 10/31/09. However as this is the first accounting and no other accountings have been filed in this estate, need accounting period beginning as of date of death 4/25/05. Need an amended accounting. **Supp: amended accounting filed showing account period as 4/25/05 – 10/31/09.**
2. Assets on hand \$29,328.02 consisting of \$8,028.02 in cash.
3. Credits in the Summary of account are not totaled. However, the summary appears to balance.
4. Petitioner reports that he has received an “escaped” tax from the tax collector and have rejected the claim. However, this is a claim to a public entity. **Supp: Petitioner states that a change in ownership statement was timely filed and that the escape assessment was not received until March 2008, nearly a year after the claim period expired.**

**Petitioner requests that the Court order that the assessment is an untimely, unsecured claim which may be rejected. Question under what authority a secured lien for property taxes may be considered an untimely, unsecured claim. Need verified supplement.**

**Petitioner further states that none of the statutory exemptions to property tax reassessment, including transfer of community property to a spouse, are an applicable means of defeating the assessment. Question what attempts have been made to abate the assessment as a transfer between spouses does not result in change of ownership under R&T §63(b). Need verified supplement.**

1. Petitioner alleges that the B of A account date of death balance was \$1,212.95. However, when petitioner was appointed administrator, the B of A bank account had a zero balance. Petitioner contends that he was unable to obtain an accounting of the funds or discover any documentation of such expenditures. Question whether the bank statements reflect any checks or withdrawals? Supp: Petitioner obtained additional records for decedent's bank accounts that reveal balance in bank account was \$2,629.99. Petitioner will supplement inventory and appraisal to reflect additional cash. Need supplemental inventory.
2. **Corrected Inventory filed 4/28/10. Following defects remain:**
  - a. **Item 1 (on form) – Total appraised by representative is incorrect. Per Attachment 1, amount should be shown as \$2,629.99.**
  - b. **No original signature of personal representative, Statement About Bond section incomplete, and form is not signed by attorney.**
  - c. **Attachment 2 is not calculated properly. Petitioner states that assets shown on attachment 2 total \$386,500. However, assets shown on Attachment 2 total \$368,500.**

**Need corrected inventory with totals shown on form corresponding to what is reported in schedules, need original signatures, need Probate Referee to appraise with correct totals.**
3. Petitioner alleges that the 1972 Ford Ranger was appropriated by surviving spouse, Doreen Rybak and that Ms. Rybak refuses to account for the vehicle or sale proceeds of the vehicle. Petitioner proposes to allocate the asset in-kind to Ms. Rybak in full satisfaction of any distribution of the estate. All other non-cash items are to be distributed per settlement agreement.
4. Statutory fees are \$9,909.63 and not \$10,060.00 as petitioner's calculation included an addition of the cash currently on hand thus duplicating that amount. Need corrected statutory computation. Supp: Revised calculation shows statutory fees of \$10,558.50. However, calculation again includes cash on hand. Additionally the loss on sale of the specialty truck (in amount of \$4,800) is not included in losses. Need corrected calculation of statutory compensation. **Supp: Petitioner submits another calculation which is improper according to Pr.C. §10800(b). Need revised calculation of fees to include correct amount shown in inventory, receipts, losses on sales. To include loans and cash on hand at end of account is improper.**
5. As the cash on hand is less than the statutory fees requested, petitioner proposes to take the lesser amount as compensation and will waive any remaining payments

due on condition. However the conditions are not clear. **Supp: Petitioner states that if Court approves accounting and report and orders proposed distribution set forth therein, and no further assets of the estate are discovered, petitioner will waive payment of remainder of statutory compensation.**

6. Attorney waives compensation on condition. However, the condition is not clear. Need verified supplement. **Supp: If court approves accounting, report and proposed distribution, attorney waives compensation.**

#### RECOMMENDATION

Need to clear notes. If approved, court to set hearing re filing receipts and final discharge for **6/16/11**.

(cbr/kra/fhl)

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN **CONSERVATORSHIPS**

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **CON DS1000066**

CASE NAME: MARIE D STEVENS

HEARING:  
Petition for Appointment of Conservator

	COUNSEL:
GWENDOLYN M HOBLIT	(CPE)...PRO/PER
MARIE D STEVENS	(CEP)...MARK J. A. FLORY

GENERAL INFORMATION

**Continued from 4/29/10. Attorney Mark J.A. Flory appointed for proposed conservatee.**

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, person and estate, by daughter

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner requests bond be fixed at \$40,000. Appears adequate. JTD
2. Petitioner requests all powers under Pr.C. §2590 in the event any power may become necessary. JTD
3. Petitioner requests medical and dementia powers, including authority for placement and administration of medications. Medical Capacity Declaration is filed supporting requests with the exception of placement. JTD
4. Need report of court-appointed counsel.
5. Court Investigator's report filed 4/8/10.
6. Return of Citation filed 4/6/10.
7. Completion of Conservatorship training class is filed.

RECOMMENDATION:

Need report of court-appointed counsel. If approved, set hearing for filing of inventory and appraisal, including proof of service of inventory and appraisal, instructions for objection to inventory and appraisal, order appointing Conservator and care plan in accord with Pr.C.

§§ 1850, 2352 and 2610 for **1/13/11**. Set hearing on accounting review for **8/18/11**.

(gls/fhl)

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **CON DS1000118**

CASE NAME: EDWARD LEE ROSENBERRY

HEARING:  
Petition for Appointment of Conservator

W.A.HLAVATY,CLPF,NCG	COUNSEL: (CP )...PRO/PER
EDWARD LEE ROSENBERRY	(CPT)...C L FARRELL

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, person only, by professional fiduciary

#### THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner is proposed conservatee and requests appointment of W.A. Hlavaty as conservator. Consent to appointment and waiver of notice signed by proposed conservatee.
2. Petitioner requests authority to fix residence and seek such medical treatment as may be necessary under Pr.C. §2352. §2554. JTD
3. Petitioner requests medical and dementia powers, including authority for placement and administration of medications. Medical Capacity Declaration is filed supporting requests with the exception of placement. JTD
4. Item 2c of professional fiduciary attachment is incomplete. Need verified supplement.
5. Counsel for proposed conservatee also represents proposed conservator in other matters. Court may wish to appoint independent counsel for proposed conservatee. JTD.
6. Need Court Investigator's report.

#### RECOMMENDATION:

Need Court Investigator report. If approved, set hearing for filing of proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Care Plan per Pr.C.§2352 for **1/13/11**.

(fh)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **CON PS0600014**

CASE NAME: MTR OF FELIX GARCIA

***SEE ALSO 31***

HEARING:

Hearing Re: OSC RE: CONSERVATEES INTEREST IN TERMINATING

COUNSEL:

CHRISTINA ERICKSON-TAUBE (CE)...SHERRI L KASTILAHN  
FELIX GARCIA (CTE)...DONNASUE SMITH-ORTIZ  
DONNASUE SMITH ORTIZ (PET)...DONNASUE SMITH-ORTIZ  
MELODIE Z SCOTT (TP)...PRO/PER

GENERAL INFORMATION:

**Continued from 4/29/10**

THIS CASE IS SET FOR HEARING ON Request for Information.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Matter set by Court on 3/2/10. Court wants the parties to address conservatee's interest in terminating conservatorship.

RECOMMENDATION:

Court's discretion.

(fhl/gls)



CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **CON PS0600014**

CASE NAME: MTR OF FELIX GARCIA

**SEE ALSO 30**

HEARING:

THIRD CURRENT Account and Report of CHRISTINA ERICKSON-TAUBE and  
Petition for allowance of fees filed.

COUNSEL:

CHRISTINA ERICKSON-TAUBE (CE)...SHERRI L KASTILAHN  
FELIX GARCIA (CTE)...DONNASUE SMITH-ORTIZ  
DONNASUE SMITH ORTIZ (PET)...DONNASUE SMITH-ORTIZ  
MELODIE Z SCOTT (TP)...PRO/PER

GENERAL INFORMATION:

**Continued from 4/29/10 to clear notes.**

THIS CASE IS SET FOR HEARING ON Third Current Account and Petition for Fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Accounting covers period: 1/1/09 – 12/31/09.
2. Assets on hand: \$5,992.14 (cash).
3. Petitioner requests fees of \$5,195.00 for 71.58 hours billed at \$60-\$105/hr.
  - a. Petitioner requests fees of \$5,195.00 for 71.58 hours billed at \$60-\$105/hr. Itemized.
  - b. Attorney requests fees of \$2,880.00 for 12.80 hours billed at \$225/hr. Itemized.

Amounts requested exceed assets on hand at end of account and income of conservatee is modest (derived from Social Security benefit and VA benefit). Court may wish to inquire with petitioner/counsel as to a fee reduction based on the minimal estate income/value. **Supp: Petitioner and counsel acknowledge that the fees exceed the assets on hand, but are willing to accept monthly payments on the fees requested. JTD**

4. Petitioner requests that bond be reduced from \$75,000 to \$50,000. Appears adequate. JTD.
5. During the account period, petitioner has paid the following amounts to:
  - a. Lance Riley for case management a total of \$4,158.25;
  - b. Stacia Fields for court accounting preparation a total of \$205.00;

- Need verified declaration to verify dates of service, performance of services and that payment has been received per Local Rule 20-1406(c).
6. Not all care facility statements have been provided (received statements dated 1/31/09, 3/1/09, 12/1/09). Need statements for all months during accounting period. **Supp: Petitioner has been unable to obtain the statements due to the facility's lack of record keeping. Conservatee will be returned to Leisure Manor. Petitioner requests that the court waive the necessity of the receipts for this account period.** Question if petitioner could obtain a statement indicating the monthly rent as well as confirm there are no outstanding balances due the facility? JTD
  7. **Notice filed by Veteran's Administration denying accounting as they have not yet received a copy of the accounting and notice of hearing.** Question whether the Veteran's Administration has any further concerns after being noticed of this accounting on 3/22/10? File verified supplement.
  8. Court Investigator report filed 2/24/10.

RECOMMENDATION:

Need to clear notes. If approved, set next accounting review for **6/14/12**. Accounting to be filed 30 days in advance.

(fhl/gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **CON PS0700142**

CASE NAME: KEVAN HILL

HEARING:

FIRST Account and Report of RON OLUND and Petition for allowance  
of fees filed.

	COUNSEL:	
PUBLIC GUARDIAN	(CPE)...	COUNTY COUNSEL
KEVAN HILL	(CEP)...	
RON OLUND	(CPE)...	E JOAN NELMS
RICK HILL	(PET)...	
VIKI WAGGONER	(PET)...	
SALLY HILL	(PRO/PER	)...PRO/PER

No file available for review.

Superior Court of Calif, County of San Bernardino  
Page: 33  
CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **CON PS0700158**

CASE NAME: JERRY MILLER

HEARING:

SECOND Account and Report of INLAND COUNTIES REGIONAL CENTER  
INC. and Petition for allowance of fees filed.

COUNSEL:

INLAND COUNTIES REGIONAL CENTE(CE )...BRUNICK MCELHANEY & BECKETT  
JERRY MILLER (CTE)...DUANE P BOOTH  
DUANE P BOOTH (PET)...DUANE P BOOTH  
DEPT. OF DEVELOPMENTAL SRVCS C(TP )...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Second Account Current and Petition for  
Allowance of Fees

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting covers period: 1/1/09 – 12/31/09
2. Assets on hand: \$30,128.35 (cash)
3. Petitioner waives fees as conservator. Instead, petitioner requests approval of fees already taken by Master Trust in the amount of \$875.00. Generally itemized.
4. Petitioner requests authority to allow Master Trust to continue taking fees of \$875/year for the first \$50,000 and 2% of the trust assets for any amount over \$50,000 up to \$250,000. JTD
5. Attorney requests fees of \$1,322.72. Billed at \$160.05/hour for attorney time and \$75/hour for paralegal time. Itemized. JTD

RECOMMENDATION:

RFA subject to court's discretion re fees. If approved, set next accounting review for  
**6/16/11**. Accounting to be filed 30 days in advance.  
(gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **CON PS0800214**

CASE NAME: MTR OF MARIA DEL ROSARIO IBARRA

HEARING:

Petition for ATTORNEY FEES AND FOR ORDER TERMINATING APPOINTMENT OF COUNSEL AND REQUIRING NO FURTHER SERVICES

COUNSEL:

MARIA AGNELES BLUE (CP)...PRO/PER  
MARIA DEL ROSARIO IBARRA (CTP)...DUANE P BOOTH  
MATIANA IBARRA (CPE)...EDWARD B FISCHER & ASSOCIATES  
MARIA DEL CARMEN FREYRE (CPE)...EDWARD B FISCHER & ASSOCIATES  
JOSE IBARRA (CPE)...EDWARD B FISCHER  
MATIANA IBARRA (CPE)...EDWARD B FISCHER & ASSOCIATES  
CONCEPCION M POWELL (PRO/PER)...PRO/PER

No file available for review.

OUT 5-07 D34 FOR SIGNATURE  
FUTURE HEARINGS  
9/13/10 Conservatorship Compliance Review

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **CON PS0800234**

CASE NAME: RICARDO RENE STRANGE

HEARING:

Hearing Re: OSC RE: PROOF OF BLOCKED ACCOUNT

COUNSEL:

MARGARITA MEZA (CPE)...PRO/PER

RICARDO RENE STRANGE (CEP)...WALTER T MOORE

No file available for review.

FUTURE HEARING

05/21/12 Accounting Review

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **CON PS0900044**

CASE NAME: ROGER DURHAM

**SEE ALSO 37**

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of AVALEE COHEN

COUNSEL:

AVALEE COHEN	(PCR)...HARTNELL, LISTER & MOORE
ROGER DURHAM	(PCE)...SHERRI L KASTILAHN

GENERAL INFORMATION:

Conservator appointed 4/2/09, \$110,000 bond.

**Continued from 11/12/09, 01/25/10, 03/01/10 and 4/5/10 at request of counsel.**

**Counsel directed to file partial Inventory and Appraisal to address bond issues.**

**Nothing new filed.**

THIS CASE IS SET FOR HEARING ON compliance review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Care plan filed.
2. Need final Inventory & Appraisal per Pr.C.§2610.
3. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
4. Court Investigator 6 month report filed.

RECOMMENDATION

When documents are not filed as ordered, court may set a hearing in accord with Pr.C.  
§2655

(kra/cbr)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **CON PS0900044**

CASE NAME: ROGER DURHAM

**SEE ALSO 36**

HEARING:  
Accounting Review

	COUNSEL:
AVALEE COHEN	(PCR)...HARTNELL, LISTER & MOORE
ROGER DURHAM	(PCE)...SHERRI L KASTILAHN

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Letters of Conservatorship (person and estate) issued 4/2/09
2. First Account Current is due for the period: 4/2/09 – 4/2/10. No accounting is filed. Need same.

RECOMMENDATION:  
Find out status.



CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **MC MS4**

CASE NAME: IN THE MATTER OF DUANE J MORRETT

HEARING:  
Accounting Review

COUNSEL:

EMERAL D MORRETT (PET)...D M DAVIS  
DUANE J MORRETT (CPE)...  
CHRISTINA ERICKSON-TAUBE (PET)...SHERRI L KASTILAHN  
MITCHELL I ROTH (PET)...MITCHELL I ROTH  
MELODIE Z SCOTT (TP )...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Fourth Account Current is due for the period: 4/1/09 – 3/31/10. No accounting is filed. Need same.

RECOMMENDATION:

Find out status.

(gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **RC RS00242**

CASE NAME: RICHARD VON DELDEN

HEARING:  
Accounting Review

COUNSEL:  
INLAND COUNTIES REGIONAL CENTE(PET)...BRUNICK MCELHANEY & BECKET  
RICHARD VON DELDEN (PCE)...

GENERAL INFORMATION:

**Continued from 4/15/10 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Fifth Account approved 4/9/09.
2. Need Sixth Account to cover period 11/30/08 – current.

RECOMMENDATION:

When the trustee fails to file and accounting as ordered, the court may take the action specified in Pr.C. § 800 and CCP § 128.

(fhl/gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **RC RS00514**

CASE NAME: LINNE LOVE KELLY

HEARING:

Hearing Re: SECOND Account and Report of DARLENE ADONIS

COUNSEL:

DARLENE ADONIS (PET)...PRO/PER  
LINNE LOVE KELLY (PCE)...DONNASUE SMITH-ORTIZ

#### GENERAL INFORMATION

Continued from 9-2-08 to clear notes. Court orders Darlene Adonis to appear at the 10-14-08. Only new thing filed is a substitution of attorney. Ms. Adonis is now a self represented litigant. As Ms. Adonis was not present at the last hearing it is unclear if she has been advised of the hearing date. Continued from 10/14/08, 1-6-09 and 02/10/09 for correction of notes. Court appoints Attorney Smith-Ortiz to represent the Conservatee. Continued from 03/17/09. Petitioner is having difficulty clearing the notes. Attorney Donnasue Smith-Ortiz is instructed to assist Ms. Adonis in filing supplements to the accounting and address the sale of the house.

Continued from 05/19/09 and 07/07/09. Need notice of hearing and proof of service. Court suggested that petitioner file declaration to show payments made/advanced to Conservatee for the house and insurance and any other expenses she is seeking reimbursement at such time the property sells.

Continued from 10-29-09. **Court notes prior order for bond and \$122,400 bond posted 03-26-06. Court exonerates bond Nunc Pro Tunc and issue of bond to be taken up at this hearing.** Ms. Adonis to give all her receipts and materials to Attorney Ortiz who will prepare declaration on Ms. Adonis' behalf.

**Continued from 01/26/10 and 4/26/10. On 4/26/10, Attorney Ortiz confirms receive of numerous records and requests more time to file a supplement/declaration. Need verified report filed by Ms. Adonis (Conservator) to have a clear starting point for future accountings.**

THIS CASE IS SET FOR HEARING ON Second account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting covers 3-23-07 through 3-22-08.
2. Assets: \$4,474.65 cash \$150,000 real property.
3. Attorney has been paid by the Conservator a total of \$3,500 retainer and \$1,500 for court appointed counsel. Petitioner is requesting reimbursement of same.
4. Need verified report.

**RECOMMENDATION:**

Need to clear note 4. Court's determination re bond. Set hearing for the next account for 06/15/10, to cover the period of 03/23/08 through 03/22/10. Accounting to be filed 30 days in advance.

(NMT/cbr/NMT/cbr/vet/cbr/gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **SC SS01432**

CASE NAME: MTR OF RANDY J. AHLHEIM

HEARING:

EIGHTH Account and Report of INLAND COUNTIES REGIONAL CNTR INC  
and Petition for allowance of fees filed.

COUNSEL:

INLAND COUNTIES REGIONAL CNTR (CE )...BRUNICK MCELHANEY & BECKETT  
RANDY J. AHLHEIM (CTE)...

GENERAL INFORMATION

**Continued from 4/1/10. Court need facility care statements (since filed)**

THIS CASE IS SET FOR HEARING ON Eighth Account Current and Petition for  
Allowance of Fees and for Termination of Conservatorship of the Estate

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

- 1 Accounting covers period: 11/1/08 – 11/30/09
- 2 Assets on hand: \$23,592.26 (cash held in MasterTrust)
- 3 Petitioner alleges that conservatee resides at Colton House; that Unlimited Frontiers is the payee for conservatee's Social Security benefits and those benefits are not part of the conservatorship estate. Petitioner alleges that the conservatorship of the estate is no longer necessary as all of the funds have been placed into the Master Trust. Petitioner requests that the court terminate the conservatorship of the estate without further accounting and require that future accountings be required for the Master Trust funds. JTD.
- 4 Court may wish to review Court Investigator report filed 7/6/09.
- 5 Petitioner requests approval of trustee's fees taken at \$875/year, charged at \$218.75 per quarter. Generally itemized. JTD
- 6 Petitioner requests authority to take future trustee's fees of \$875/year for the first \$50,000, plus 2% for any amount over \$50,000. JTD.
- 7 Attorney requests fees of \$986.39. Billed at \$75-\$160.05/hour for 9.75. Itemized. JTD.

RECOMMENDATION:

Court's discretion re fees and termination of conservatorship of estate. If approved set future hearing for accounting of Master Trust funds for **2/3/11**.

(fhl/gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **SC SS02088**

CASE NAME: MTR RE JESSIE R ORTIZ

HEARING:  
Accounting Review

	COUNSEL:
PHYLLIS R CRUZ	(CPE)...PRO/PER
JESSIE R ORTIZ	(CEP)...
MARIE PIERCE	(PET)...PRO/PER
JOSIE ROQUE	(SC )...
ROSALIE R MENDIETA	(CE )...PRO/PER
CARLOS ORTIZ	(OBJ)...MICHAEL J TORCHIA

GENERAL INFORMATION:

**Continued from 5/6/10. Conservator given an ex parte petition to dispense with accounting to complete and file with the court. The court orders conservator to give notice to all parties that the court will approve the waiver and terminate the conservatorship at the next hearing.**

THIS CASE IS SET FOR HEARING ON Accounting Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Waiver of account for period 2/4/08 – 2/4/09 approved 4/30/09.
2. Waiver of account submitted but returned to petitioner for correction.
3. Need account/waiver of account.

RECOMMENDATION:

Need waiver  
(fhl/gls)

CIVPRO San Bernardino District - Probate  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 10:30 DEPT: S34P  
-----

CASE#: **SC SS02802**

CASE NAME: MTR RE ERNEST MICHAEL NICHOLLES

HEARING:

FOURTH Account and Report of CAROL DE SEPIO and Petition for allowance of fees filed.

COUNSEL:

CAROL DE SEPIO (CPE)...STEVEN G GROSSMANN  
ERNEST MICHAEL NICHOLLES (CEP)...  
US DEPT OF VETERANS AFFAIRS (TP)...ALAN K ACHEN  
DEPARTMENT OF DEVELOPMENTAL SE(PRO/PER )...PRO/PER

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Fourth Account Current and Petition for Allowance of Fees filed by PPF

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting covers period: 2/24/09 – 2/23/10
2. Assets on hand: \$66,203.25 (cash of \$20,185.27 and the balance in carry value of securities)
3. Petitioner requests fees of \$3,033.00 of which \$1,800 has been paid in periodic court-ordered payments, leaving a balance due of \$1,233.00. Billed at various rates for various services not exceeding \$95/hour. Itemized. JTD
4. Petitioner requests continuing authority to take periodic payments of \$150/month. JTD
5. Attorney requests fees of \$2,815.00, together with reimbursement of costs of \$116.00. Billed at \$275-\$300/hour for attorney time. Itemized. JTD
6. Petitioner alleges the current bond of \$105,000 should be reduced to \$103,000. Appears adequate. However, if bond premium will not also be reduced Court may wish to maintain \$105,000 bond. JTD
7. Need to file notice of hearing and proof of service.



RECOMMENDATION:

Need notice and court's discretion re fees, future periodic payments and bond decrease.  
If approved, set next accounting review for **6/14/12**. Accounting to be filed 30 days in advance.

(gls)

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

**MISC.**

-----  
DATE: 06/10/10 TIME: 1:30 DEPT: S34P  
-----

CASE#: **PRO DS1000169**

CASE NAME: ARMIDA RODRIGUEZ HOLGUIN

**SEE ALSO 45**

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority  
under IAEA.

COUNSEL:

PHILLIP HOLGUIN (PET)...FRANK PRAINITO  
ARMIDA RODRIGUEZ HOLGUIN (DEC)...  
JEANNE E KENNEDY (PET)...CALDWELL, KENNEDY & PORTER, A.  
MARIO HOLGUIN (OBJ)...JO ANN MCDOLE

See notes on page 45

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

-----  
DATE: 06/10/10 TIME: 1:30 DEPT: S34P  
-----

CASE#: **PRO DS1000169**

CASE NAME: ARMIDA RODRIGUEZ HOLGUIN

**SEE ALSO 44**

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority  
under IAEA.

COUNSEL:

PHILLIP HOLGUIN (PET)...FRANK PRAINITO  
ARMIDA RODRIGUEZ HOLGUIN (DEC)...  
JEANNE E KENNEDY (PET)...CALDWELL, KENNEDY & PORTER, A.  
MARIO HOLGUIN (OBJ)...JO ANN MCDOLE

RELATED MATTER PRODS1000065

GENERAL INFORMATION:

Special administration denied on 2/1/10, no emergency. Counsel to publish and give  
creditors time to respond. Matter relates to VCVS00439.

**Continued from 3/3/10 and 4/14/10 for Philip Holguin to file objections (since filed).  
Special administration granted on 4/14/10 to Jeanne Kennedy.**

THIS CASE IS SET FOR HEARING ON Petition for administration with full IAEA powers,  
by son – Phillip Holguin

Competing petition for letters of administration with full authority under IAEA filed by son –  
Mario Holguin under Case No. PRODS1000065 (calendared for 6/3/10)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED

1. Need proof of publication.
2. Petitioner requests no bond on basis \$123,792 from conservatorship estate be  
kept in blocked account. Alternatively, court could require 4124,000 bond. JTD.
3. **Objections filed by Mario Holguin**

## RECOMMENDATION

Need to clear notes then set for contested hearing. If approved, Court's determination re bond. Set accounting review on **8/18/11**. Accounting must be filed 30 days in advance. Note requirements of Local Rule 20-908.

Abs/gls